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SUMMARY ON THE ACTIVITIES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE FOR THE 112TH CON- GRESS

together with

MINORITY VIEWS

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

JANUARY 5, 2011–JUNE 30, 2011

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

U.S. HOUSE OF REPRESENTATIVES



JUNE 24, 2011.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

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LETTER OF SUBMITTAL

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 24, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to Clause 1(d) of Rule XI of the Rules of the House of Representatives, I submit the Semiannual Report on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress.

The purpose of this report is to provide Members of Congress, Congressional staff, and the general public with an overview of the activities of the Committee. This report is intended as a general reference tool and not as a substitute for Committee hearing records, reports, and files.

Sincerely,

JOHN L. MICA,
Chairman.

Enclosure.

Union Calendar No. 74

112TH CONGRESS <i>1st Session</i>	HOUSE OF REPRESENTATIVES	REPORT 112-124
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SUMMARY ON THE ACTIVITIES OF THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE FOR THE 112th CONGRESS

JUNE 24, 2011.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. MICA, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

together with

MINORITY VIEWS

PROVISIONS OF THE RULES OF THE HOUSE OF REPRESENTATIVES APPLI-
CABLE TO COMMITTEE ACTIVITIES; JURISDICTION OF THE HOUSE COM-
MITTEE ON TRANSPORTATION AND INFRASTRUCTURE

RULE X

“ORGANIZATION OF COMMITTEES

“Committees and their legislative jurisdictions

“1. There shall be in the House the Following standing commit-
tees, each of which shall have the jurisdiction and related functions
assigned by this clause and clauses 2, 3, and 4. All bills, resolu-
tions, and other matters relating to subjects within the jurisdiction
of the standing committees listed in this clause shall be referred
to those committees, in accordance with clause 2 of rule XII, as fol-
lows:

“(r) Committee on Transportation and Infrastructure.

“(1) Coast Guard, including lifesaving service, lighthouses,
lightships, ocean derelicts, and the Coast Guard Academy.

“(2) Federal management of emergencies and natural disasters.

“(3) Flood control and improvement of rivers and harbors.

“(4) Inland waterways.

“(5) Inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.

“(6) Navigation and laws relating thereto, including pilotage.

“(7) Registering and licensing of vessels and small boats.

“(8) Rules and international arrangements to prevent collisions at sea.

“(9) The Capitol Building and the Senate and House Office Buildings.

“(10) Construction or maintenance of roads and post roads (other than appropriations therefor).

“(11) Construction or reconstruction, maintenance, and care of buildings and grounds of the Botanic Garden, the Library of Congress, and the Smithsonian Institution.

“(12) Merchant marine (except for national security aspects thereof).

“(13) Purchase of sites and construction of post offices, custom-houses, Federal courthouses, and Government buildings within the District of Columbia.

“(14) Oil and other pollution of navigable waters, including inland, coastal, and ocean waters.

“(15) Marine affairs, including coastal zone management, as they relate to oil and other pollution of navigable waters.

“(16) Public buildings and occupied or improved grounds of the United States generally.

“(17) Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).

“(18) Related transportation regulatory agencies (except the Transportation Security Administration).

“(19) Roads and the safety thereof.

“(20) Transportation, including civil aviation, railroads, water transportation, transportation safety (except automobile safety and transportation security functions of the Department of Homeland Security), transportation infrastructure, transportation labor, and railroad retirement and unemployment (except revenue measures related thereto).

“(21) Water power.

FOREWORD

The 112th Congress began as the country was struggling with high employment (9.0% in January 2011), high home foreclosure rates, crumbling infrastructure, and dwindling hope among Americans. The Committee on Transportation and Infrastructure immediately responded to the economic crisis by developing a legislative and oversight agenda focused on three primary objectives:

1. Creating jobs;
2. Saving taxpayer money; and
3. Shrinking the size of the Federal government.

In the first quarter of the 112th Congress, the Committee immediately began its important work of improving infrastructure in a fiscally responsible manner. From January until the end of June, the Committee has held three Full Committee markups, one Subcommittee markup, one organizational meeting, 45 hearings, 14 listening sessions, three roundtables, and one symposium. In addition, the Committee reported six bills, issued one investigative report on the Transportation Security Administration's failure to utilize a more cost-effective security screening model (the Screening Partnership Program), and approved the Committee Oversight Plan and the Views and Estimates.

Three bills, crafted and supported by the Committee, continued the authorization of important transportation programs that would have otherwise expired. The Airport and Airway Extension Act of 2011 (P.L. 112-7) extended Federal Aviation Administration programs through May 31, 2011. The Airport and Airway Extension Act of 2011, Part II (P.L. 112-16), extended the aviation programs through June 30, 2011. The President signed the Surface Transportation Extension Act of 2011 (P.L. 112-5) on March 4, 2011, extending through September 30, 2011, the authority for surface transportation programs originally authorized under the Safe, Accountable, Flexible, Efficient, Transportation Equity Act—a Legacy for Users (SAFETEA LU).

The Committee approved a number of important transportation and infrastructure bills. On February 16, 2011, the Committee ordered reported the FAA Reauthorization and Reform Act of 2011 (H.R. 658), and the legislation passed the House on April 1, 2011. H.R. 658 is a long-term Federal Aviation Administration (FAA) reauthorization which reforms FAA programs and provides funding at aggregate FY 08 levels without cuts critical to safety, resulting in about \$4 billion in taxpayer savings. The bill eliminates duplicative policies and offices within the FAA and consolidates air traffic control facilities.

Also on February 16th, the Committee approved H.R. 690, and a companion Committee Resolution, to direct the Administrator of General Services to transfer administrative jurisdiction, custody, and control of the building located at 600 Pennsylvania Avenue, N.W., in the District of Columbia, to the National Gallery of Art, and for other purposes. H.R. 690, the Federal Trade Commission and National Gallery of Art Facility Consolidation, Savings, and Efficiency Act of 2011 requires the Administrator of General Services Administration (GSA), not later than December 31, 2014, to transfer administrative jurisdiction, custody, and control of the Federal Trade Commission (FTC) building to the National Gallery of Art (NGA) and to name such building as the North Building of the National Gallery of Art. The legislation requires the NGA to pay the costs of remodeling, renovating, or reconstructing such building. The GSA also must relocate the offices of the FTC to other modernized buildings in Washington, D.C., that are owned by the Federal government. H.R. 690 saves the taxpayers an estimated \$300 million in avoided renovation and lease costs of the FTC and NGA. Additional benefits include \$200 million in non-taxpayer renovations of the Apex Building by the NGA. The FTC building will be utilized more efficiently by the NGA, as currently only a little more than half of the facility's 306,000 square feet is usable for FTC operations.

The Committee, in keeping with the objective to save taxpayer dollars, create jobs, and shrink the government, supported legislation aimed to eliminate unnecessary or duplicative regulations that are suffocating the struggling economy. The Committee ordered the Reducing Regulatory Burdens Act of 2011 (H.R. 872) reported on March 16, 2011, and passed the House on March 31, 2011. The bill would amend the Federal Insecticide, Fungicide and Rodenticide Act and the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) to clarify the Congressional intent regarding the regulation of pesticides in or near navigable waters and for other purposes. The bill would prevent a duplicative regulatory hurdle for the approved applications of pesticides.

Chairman Mica and Ranking Member Rahall introduced the Clean Water Cooperative Federalism Act of 2011 (H.R. 2018). This bill would amend the Clean Water Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and to restrict Environmental Protection Agency's (EPA) ability to second-guess or delay a State's permitting and water quality certification decisions under the Clean Water Act in several important respects, including State water quality standards, dredge and fill permits, and requiring a deadline for Agency comment. The bill was introduced on May 26, 2011, and received widespread bipartisan support.

The Committee could not have achieved these accomplishments without the bipartisan leadership and dedication of each of the Members of the Committee, particularly Ranking Member Nick J. Rahall, II, and the Chairs and Ranking Members of each of the Subcommittees. The Subcommittee Chairs immediately began their work by conducting hearings and guiding bills and resolutions through each of their respective Subcommittees.

Consequently, I submit the Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the first quarter of the 112th Congress. This summary highlights accomplishments that will create jobs, save the taxpayer money, and shrink the size of the federal government all while improving the safety, security, and efficiency of the country's transportation and infrastructure for years to come.

JOHN L. MICA, *Chairman,*
Committee on Transportation and Infrastructure.

TABLE OF BILLS ENACTED INTO LAW

Public Law No.	Date Enacted	Bill No.	Title
P.L. 112-2	February 17, 2011	S. 188	A bill to designate the United States courthouse under construction at 98 West First Street, Yuma, Arizona, as the "John M. Roll United States Courthouse".
P.L. 112-5	March 4, 2011	H.R. 662	To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.
P.L. 112-7	March 31, 2011	H.R. 1079	To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.
P.L. 112-11	April 25, 2011	S. 307	A bill to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the "W. Craig Broadwater Federal Building and United States Courthouse".
P.L. 112-16	May 31, 2011	H.R. 1893	To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

TABLE OF CONCURRENT RESOLUTIONS APPROVED BY BOTH CHAMBERS

Resolution No.	Title	House Passage	Senate Passage
H. Con. Res. 16	Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.	May 11, 2011	May 12, 2011
H. Con. Res. 46	Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.	May 11, 2011	May 12, 2011

TABLE OF BILLS AND RESOLUTIONS PASSED BY THE HOUSE BUT NOT ACTED ON BY THE SENATE

Bill No.	Title	Date of House Passage
H.R. 362	To redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building".	May 2, 2011

TABLE OF BILLS AND RESOLUTIONS PASSED BY THE HOUSE BUT NOT ACTED ON BY THE
SENATE—Continued

Bill No.	Title	Date of House Passage
H.R. 872	To amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.	March 31, 2011

COMMITTEE ORGANIZATIONAL MEETINGS AND MARKUPS

Date of Organizational Meeting or Markup	Full or Subcommittee	Agenda	Outcome
January 26, 2011 February 16, 2011.	Full Committee Full Committee	<p>Organizational Meeting</p> <p>The Committee considered the following measures:</p> <ul style="list-style-type: none"> • Committee resolution to reduce facility costs by consolidating National Gallery of Art and Federal Trade Commission operations in the District of Columbia • H.R. 690, Federal Trade Commission and National Gallery of Art Facility Consolidation, Savings and Efficiency Act of 2011 • Norton amendment to H.R. 690 • Denham amendment to H.R. 690 • H.R. 362, to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building" • H.R. 658, the FAA Reauthorization and Reform Act of 2011 • Mica manager's amendment • Costello amendment • Shuster amendment • Hirono amendment (OSHA) • Hirono amendment (flight attendant fatigue) • Michaud amendment • Lipinski amendment • H.R. 662, the Surface Transportation Extension Act of 2011 	<p>Approved by voice vote</p> <p>Ordered reported as amended by voice vote</p> <p>Ordered reported by voice vote</p> <p>Ordered reported as amended by recorded vote 34–25</p>
March 16, 2011	Full Committee	<p>The Committee considered the following measures:</p> <ul style="list-style-type: none"> • Fiscal Year 2012 Budget Views and Estimates of the Committee on Transportation and Infrastructure • S. 307, A bill to designate the Federal building and United States Courthouse located at 217 West King Street, Martinsburg, West Virginia, as the "W. Craig Broadwater Federal Building and United States Courthouse" • H.R. 872, Reducing Regulatory Burdens Act of 2011 • Schmidt manager's amendment • Bishop amendment, offered and withdrawn • H.R. 1079, Airport and Airway Extension Act of 2011 	<p>Ordered reported by voice vote</p> <p>Approved by voice vote</p> <p>Ordered reported by voice vote</p> <p>Ordered reported by record vote 46–8</p> <p>Ordered reported by voice vote</p>

COMMITTEE ORGANIZATIONAL MEETINGS AND MARKUPS—Continued

Date of Organizational Meeting or Markup	Full or Subcommittee	Agenda	Outcome
May 25, 2011	Subcommittee on Economic Development, Public Buildings, and Emergency Management.	<p>The Committee considered the following measures:</p> <ul style="list-style-type: none"> • H.R. 1734, The Civilian Property Realignment Act, a bill to establish a framework through which a BRAC-like commission would independently review federal properties and make recommendations for consolidations, co-locations, redevelopment, selling or other actions to minimize costs. • Rep. Denham amendment in the nature of a substitute 	Approved for Full Committee
June 22, 2011	Full Committee	<p>The Committee considered the following measures:</p> <ul style="list-style-type: none"> • H.R. 1073, To designate the United States courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse" • H.R. 1264, To designate the property between the United States Federal Courthouse and the Ed Jones Building located at 109 South Highland Avenue in Jackson, Tennessee, as the "M.D. Anderson Plaza" and to authorize the placement of a historical/identification marker on the grounds recognizing the achievements and philanthropy of M.D. Anderson • H.R. 1791, To designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the "Alto Lee Adams, Sr., United States Courthouse" • H.R. 2018, The Clean Water Cooperative Federalism Act of 2011 • Summary of Legislative and Oversight Activities Committee Report 	

SUMMARY OF ACTIVITIES

Full Committee

HEARINGS

Title: Biometric IDs for Pilots and Transportation Workers: Diary of Failures

Date: April 14, 2011

Purpose: Received testimony on the inclusion of biometric identifiers on identification for airline pilots and other transportation workers, as well as the state of federal biometric standards and uses.

Summary: The Committee continued oversight of the Federal Aviation Administration (FAA) pilot license program. The FAA has ignored Congressional and Administrative guidance on issuing biometric credentials to airline pilots. In section 4022 of the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108–458), Congress mandated that not later than one year after the date of enactment, the FAA must begin to issue improved pilot licenses consistent with the requirements of title 49, United States Code, and title 14, Code of Federal Regulations. The Act further specified the improved pilot licenses would be resistant to tampering, alteration, and counterfeiting, include a photograph of the individual to whom the license is issued, and be capable of accommodating a digital photograph, a biometric identifier, or any other unique identifier that the FAA considered necessary. Six years later, the FAA still has not included biometric identifiers or photographs on pilot licenses. Once the photograph mandate is implemented, a pilot license will be an acceptable identification card to use at airport checkpoints and, according to existing Federal standards for personal identity verification cards, a pilot license may be used to quickly and electronically verify pilot identification at airport checkpoints, allowing pilots to bypass physical screening.

The Committee heard testimony from Peggy Gilligan, Associate Administrator for Aviation Safety at the FAA, regarding FAA's current pilot license and FAA's progress in developing a pilot license that includes biometric identifiers. Ms. Gilligan also testified regarding FAA's desire to cooperate with the Transportation Security Administration (TSA) in creating a biometric pilot license and FAA's desire to avoid duplicating the existing biometric standards promulgated by the National Institute of Standards and Technology (NIST). The Committee heard testimony from Cita Furlani, Director of the Information Technology Laboratory, NIST, regarding federal standards for biometric identifiers, the types of biometric identifiers in use, and the implementation and interoperability of these identifiers. The Committee invited testimony from John Pistole, Administrator, TSA, and John Schwartz, Transportation

Worker Identification Credential (TWIC) Program Manager, TSA, but they refused to attend.

The hearing demonstrated the FAA ignored Congressional mandates regarding the inclusion of biometric identifiers on federal pilot licenses. The Committee's oversight of this important issue will increase the security of the country's aviation system by ensuring that future pilot licenses are secure, tamper-resistant, and contain biometric identifiers.

Title: Stimulus Status: Two Years and Counting

Date: May 4, 2011

Purpose: Received testimony, pursuant to the Committee-approved Oversight Plan and House Rule XI, Clause 2(n), to examine the audit work performed by the Government Accountability Office (GAO), the Department of Transportation Inspector General (DOT IG), and the Environmental Protection Agency Inspector General (EPA IG) on implementation the American Recovery and Reinvestment Act. GAO and the two IGs performed extensive audit work on the implementation of funded programs from the Department of Transportation (DOT), including the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Aviation Administration (FAA), and the Federal Railroad Administration (FRA), and the Environmental Protection Agency (EPA). The audits uncovered significant lapses in oversight by the implementing agencies, mismanagement of grants and funds, and lack of transparency.

Summary: The Committee heard testimony from DOT IG, Calvin L. Scovel, III, EPA IG, Arthur A. Elkins, Jr., and the GAO directors on transportation and infrastructure projects, Phillip Herr and David Trimble, on their extensive audit work regarding the implementation of the American Recovery and Reinvestment Act, particularly areas of grant mismanagement, poor project selection, and lack of transparency. Roy Kienitz, Undersecretary for Policy at DOT, also testified.

ACTIVITIES AND INVESTIGATIONS

Title: TSA Ignores More Cost-Effective Screening Model

Date: June 3, 2011

Purpose: Majority staff investigated the basis and rationale for the January 28, 2011, decision by John Pistole, Administrator, TSA, to halt the expansion of the Screening Partnership Program (SPP), the comparative efficiencies of SPP and non-SPP screening, and the various screening models used in the international community.

Summary: After the September 11, 2001, terrorist attacks, Congress passed the Aviation and Transportation Security Act of 2001 (ATSA) (P.L. 107-71), creating the TSA to regulate aviation security standards, among other purposes. ATSA also created the SPP to allow TSA-certified contractors, under federal supervision and regulation, to conduct passenger and baggage screening at airports. The law provided airport authorities the option to "opt-out" of the federal screening model. Since the creation of the SPP, a total of sixteen airports have chosen to opt-out of the federal screening

model and use private contractors for passenger and baggage screening.

On January 28, 2011, TSA Administrator John Pistole announced that he would not expand the SPP and denied pending SPP applications from five airports. Administrator Pistole's announcement marked the first time in the program's ten-year history that an airport had been refused participation in the statutorily-mandated program. Covert testing, anecdotal information, and independent evaluation have shown that utilizing private screening professionals under federal regulation and oversight is the better and more cost-effective security option.

The Committee conducted an investigation into the basis and rationale for Administrator Pistole's decision, the comparative efficiencies of SPP and non-SPP screening, and the various screening models used in the international community. As a result of this investigation, the Committee Majority Staff made several key findings:

1. Taxpayers would save \$1 billion over five years if the Nation's top 35 airports operated as efficiently as San Francisco International Airport does under the SPP model.
2. SPP screeners are 65 percent more efficient than their federal counterparts.
3. Taxpayers would save more than \$38.6 million a year if Los Angeles International Airport joined the SPP.
4. TSA concealed significant cost factors unique to the federal screening model.
5. TSA has hired 137,100 staff since the agency's creation and spent more than \$2 billion on recruiting and training costs.
6. "Clear and substantial advantage" for approving five airport applications existed and were ignored by TSA when TSA denied their application to the SPP.
7. TSA's SPP application and evaluation process is flawed.
8. TSA does not have specific criteria to determine if a "clear or substantial advantage" exists to order to evaluate SPP applications.
9. There is evidence that TSA officials erroneously claimed no communication with union representatives about the SPP.
10. TSA officials recommended abolishing the SPP.
11. Most of the rest of the world utilizes a SPP-like screening model at airports.

The Administration has often used cost as a justification for not promoting the SPP. In 2007, TSA claimed that SPP airports cost 17.4 percent more to operate than airports under the federal security model. Committee Chairman John L. Mica requested that the GAO examine TSA's claim. As a result, GAO found that TSA's methodology for the cost assessment was flawed and identified multiple cost elements the agency had excluded when performing the analysis. TSA then revised its cost assessment in January 2011 to reflect a three percent higher operating cost at SPP airports than airports using federal screeners. However, TSA's 2011 cost analysis has not been independently verified.

Majority Committee Staff conducted their own cost analysis using three cost metrics that have been dismissed in previous cost comparisons conducted by TSA: screener productivity, screener

turnover, and use of the National Deployment Force (NDF). Assuming that all other costs related to screening operations at the SPP and non-SPP airport are equal, the Committee found that SPP screeners are 65 percent more efficient than non-SPP screeners, and additional costs associated with ineffective workforce management were 42 percent higher than similar costs under the SPP model. Majority Committee Staff produced its finding in a report released on June 3, 2011.

To see the report, please visit: http://republicans.transportation.house.gov/Media/file/112th/Aviation/2011-06-03-TSA_SPP_Report.pdf

Subcommittee on Aviation

To date, the Subcommittee on Aviation, chaired by Representative Thomas Petri, with Representative Jerry Costello serving as ranking member, held three hearings and one Member's roundtable. The Subcommittee developed major legislation, H.R. 658, the FAA Reauthorization and Reform Act of 2011, to reauthorize and reform the programs, funding, and organization of the Federal Aviation Administration (FAA) and to provide \$59.7 billion over four years for FAA programs. On April 1, 2011, the House passed H.R. 658.

HEARINGS

Title: FAA Reauthorization of 2011: FAA Administrator

Date: February 8, 2011

Purpose: Received testimony on the reauthorization of the FAA. The hearing covered issues of funding and financing the Airport and Airway Trust Fund, which helps fund the development of a nationwide airport and airway system. The Trust Fund also funds FAA investments in air traffic control facilities and airport grants, thereby creating jobs.

Summary: The Subcommittee heard testimony from Administrator Randy Babbitt who testified on the importance of a long term reauthorization act, and offered his viewpoint on the issues to be addressed in the reauthorization bill. The hearing discussed the FAA's Facility and Equipment (F&E) program, which includes development, installation, and transitional maintenance of navigational and communication equipment to support aviation operations. The hearing looked at safety issues, commercial service to small community through the Essential Air Service (EAS), and the importance of Next Generation Air Transportation System (NextGen) to the future of aviation. The hearing also explored issues related to FAA regulation of the aviation industry and the importance of a long-term FAA bill to ensure a steady source of funding and create jobs.

Title: FAA Reauthorization of 2011: Stakeholders

Date: February 9, 2011

Purpose: Received testimony on the reauthorization of the FAA from aviation stakeholders.

Summary: The Subcommittee heard testimony from airport and airline associations, labor unions, and manufacturers' associations. The seven witnesses testified on the importance of a long term re-

authorization act and offered their advice on the issues to be addressed in the reauthorization process. The hearing covered issues of funding and financing for the EAS Program and the Airport and Airway Trust Fund. The hearing discussed the importance of NextGen and the need to continue its implementation to remain competitive in the global marketplace and to address looming issues related to congestion and environmental impacts. The hearing addressed safety concerns, labor issues, and standardization of regulation interpretation. The hearing also explored areas where the industry believed there was excessive or unnecessary regulation that negatively impacted the ability of industry to grow economically and create jobs.

Title: Roundtable—A Discussion of Airports and Fixed-Based Operator Issues

Date: June 15, 2011

Purpose: Discussed various issues regarding the relationship between airports and fixed-based operators (FBOs), including competition, the use of both Federal and private funds, and leases, as well as other issues.

Summary: Earlier this Congress, Representative John Duncan introduced H.R. 1474, the Freedom from Competition Act of 2011, which would prohibit any entity receiving federal funding from using these funds to compete with a private business. This legislation resulted in debate on legislation's impact on the relationship between airports and FBOs. The Aviation Subcommittee invited representatives from associations representing FBOs and airports to discuss the issues.

Title: GPS Reliability: A Review of Aviation Industry Performance, Safety Issues, and Avoiding Potential New and Costly Government Burdens

Date: June 23, 2011

Purpose: A joint hearing on Global Positioning System (GPS) Reliability by the Subcommittees on Aviation and Coast Guard and Maritime Transportation to receive testimony on stakeholder concerns with GPS interference, the implications of that interference on GPS reliability, NextGen, aviation job creation, and the potential remedies to GPS interference.

Summary: The Federal Communications Commission (FCC) is considering an application by a company called LightSquared to build nationwide broadband internet infrastructure. LightSquared has applied to have high-power internet broadcast stations across the country on the spectrum neighboring the low-powered GPS signal. A broad coalition of industry stakeholders who use GPS, including almost all of the aviation groups, have expressed concern the high-powered broadband signal will overpower and disable critical GPS navigation and timing functions. Initial testing by the Department of Defense (DoD) and DOT have validated some of these interference concerns. There are similar concerns related to how GPS interference might impact maritime safety. The Subcommittees will hear testimony from DOT, the DoD, the Coast Guard, LightSquared, the RTCA Inc., and representatives of airlines, manufacturers, and general aviation.

LEGISLATION

Title: Airport and Airway Extension Act of 2011

Public Law Number: P.L. 112-7 (March 31, 2011)

Bill Number: H.R. 1079

Summary: The most recent long-term FAA reauthorization act, Vision 100—Century of Aviation Reauthorization Act (P.L. 108-176), expired September 30, 2007. During the 110th and 111th Congresses, the House and Senate were unable to reach agreement on a final, long-term reauthorization. In April 2011, the House passed H.R. 658, the FAA Reauthorization and Reform Act of 2011. In February 2011, the Senate passed its own comprehensive FAA reauthorization act. To allow the two chambers time to negotiate a multi-year FAA reauthorization act, Congress passed a 60-day extension of the FAA's authority to administer aviation programs and to receive tax proceeds. The prior extension expired on March 31, 2011. H.R. 1079 extended that authority through May 31, 2011. The bill extended the authorization of appropriations for aviation programs, excise taxes on aviation fuels and air transportation of persons and property, and the expenditure authority of the Airport and Airway Trust Fund. This legislation also extended, various airport development projects, including: (1) the pilot program for passenger facility fees at non-hub airports, (2) small airport grants for airports located in the Marshall Islands, Micronesia, and Palau, (3) state and local airport land use compatibility projects, (4) the authority of the Metropolitan Washington Airports Authority to apply for an airport development grant and impose a passenger facility fee, (5) the temporary increase to 95 percent in the government share of certain Airport Improvement Program (AIP) project costs, and (6) Midway Island airport development. It also extended AIP projects and project grant authority.

Title: FAA Reauthorization and Reform Act of 2011

Bill Number: H.R. 658 (passed House on April 1, 2011)

Summary: The FAA Reauthorization and Reform Act of 2011. H.R. 658 meets the total aggregate FY 08 appropriations levels starting in 2012, resulting in about \$4 billion in savings compared to 2010 appropriations. H.R. 658 is a long-term FAA reauthorization which provides clear funding levels and much needed stability to the aviation, airport, and airline communities, and as a result will create jobs and boost the economy. H.R. 658 addresses redundancies in positions and policies of the FAA and eliminates them, and in addition consolidates and realigns the air traffic control facilities in order to eliminate unnecessary facilities. H.R. 658 improves the safe and efficient operation of our Nation's aviation system.

H.R. 658 contains provisions that would set deadlines and create accountability for the implementation of Next Generation; directs the Administrator to establish and implement a safety assessment system for foreign repair stations that perform maintenance on U.S. aircraft; requires the Secretary to develop a plan for the safe integration of commercial unmanned aircraft systems into the National airspace system in an expedited fashion, and in coordination with other Federal agencies; authorizes funding for EAS in Alaska and Hawaii given their unique nature but repeals the EAS Local

Participation Program, terminating the EAS program on October 1, 2013; increases from 24 to 34 the number of slots exempt from specified requirements and prohibitions concerning operation of an aircraft nonstop between Ronald Reagan Washington National Airport and another airport more than 1,250 statute miles away (Perimeter Rule limit); revises FAA personnel management system requirements with respect to the mediation, alternative resolution, and binding arbitration of disputes between the Administrator and FAA employees about implementation of proposed changes to the system; directs the Administrator to provide for the realignment of FAA services and facilities to facilitate NextGen air traffic control modernization; Prohibits finalization of onerous regulations regarding the shipment of lithium batteries; amends the Railway Labor Act to grant the DOT Inspector General the authority to review National Mediation Board operations to determine compliance with Federal laws, rules, and regulations; and extends the moratorium on FAA regulation of experimental space vehicles.

Title: The Airport and Airway Extension Act of 2011, Part II

Public Law Number: P.L. 112–16 (May 31, 2011)

Bill Number: H.R. 1893

Summary: The most recent long-term FAA reauthorization act, Vision 100—Century of Aviation Reauthorization Act (P.L. 108–176), expired September 30, 2007. During the 110th and 111th Congresses, the House and Senate were unable to reach agreement on a final, long-term reauthorization. In April 2011, the House passed H.R. 658, the FAA Reauthorization and Reform Act of 2011. In February 2011, the Senate passed its own comprehensive FAA reauthorization act. To allow the two chambers time to negotiate a multi-year FAA reauthorization act, Congress passed a 60-day extension of the FAA’s authority to administer aviation programs and to receive tax proceeds. The prior extension expired on May 31, 2011. H.R. 1893 extended that authority through June 30, 2011. The bill extends the authorization of appropriations for aviation programs, excise taxes on aviation fuels and air transportation of persons and property, and the expenditure authority of the Airport and Airway Trust Fund. This legislation also extends, various airport development projects, including: (1) the pilot program for passenger facility fees at non-hub airports, (2) small airport grants for airports located in the Marshall Islands, Micronesia, and Palau, (3) state and local airport land use compatibility projects, (4) the authority of the Metropolitan Washington Airports Authority to apply for an airport development grant and impose a passenger facility fee, (5) the temporary increase to 95 percent in the government share of certain Airport Improvement Program (AIP) project costs, and (6) Midway Island airport development. It also extends AIP projects and project grant authority.

Subcommittee on Coast Guard and Maritime Transportation

To date, the Subcommittee on Coast Guard and Maritime Transportation, chaired by Representative Frank A. LoBiondo with Representative Rick Larsen serving as ranking member, held five hearings (15 witnesses and approximately ten hours of testimony) cov-

ering a diverse portfolio of issues within the jurisdiction of the Subcommittee.

HEARINGS

Title: Improving Oil Spill Prevention and Response, Restoring Jobs, and Ensuring Our Energy Security: Recommendations from the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling

Date: February 11, 2011

Purpose: A joint hearing between the Subcommittees on Coast Guard and Maritime Transportation and Water Resources and Environment to receive testimony regarding improvements that can be made to oil spill prevention and response plans and programs.

Summary: In the wake of the Deepwater Horizon oil spill, the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling was created to find the root cause of the accident and issue recommendations on how to prevent such disasters and improve response in the future. The Commission issued their report on January 11, 2011, and it contained 14 specific recommendations that fell under the jurisdiction of the Committee on Transportation and Infrastructure.

The Subcommittees heard testimony from Dr. Donald F. Boesch and Mr. Terry D. Garcia, members of the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, and Coast Guard Admiral Thad Allen (Ret.), who was the National Incident Commander for the BP Deepwater Horizon oil spill response. The witnesses' testimonies revolved around the recommendations from the report, which ranged from creating an independent agency within the Department of Interior to enforce regulations on offshore drilling, to raising the liability cap on oil production facilities, to increasing communication between Federal agencies and local governments during a Spill of National Significance.

Title: A Review of the Administration's FY 12 Budget Requests for the U.S. Coast Guard, Federal Maritime Commission, and Federal Maritime Administration; Finding Ways To Do More with Less

Date: March 1, 2011

Purpose: Received testimony from Admiral Robert J. Papp, Jr., Commandant of the Coast Guard, Master Chief Michael P. Leavitt, Master Chief Petty Officer of the Coast Guard, the Honorable Richard A. Lidinsky, Jr., Chairman of the Federal Maritime Commission, and the Honorable David T. Matsuda, Administrator of the Maritime Administration regarding the Obama Administration's budget requests for FY 12 for the Coast Guard, Federal Maritime Commission, and Maritime Administration.

Summary: The President released his annual budget requests for the following fiscal year in early March. The witnesses testified to the effects the budget requests would have on their agencies if enacted. Notable cuts in the Coast Guard budget requests include a 7.4% decrease in funding for the Acquisition, Construction and Improvements account from this fiscal year's continuing resolution, as well as a 20% decrease in the Research, Development, Test and Evaluation account. In addition, the Administration requested one High Endurance Cutter be decommissioned as well as the USCGC

POLAR SEA, one of the Coast Guard's two Class I icebreakers. The Subcommittee and the witnesses examined the direct and long-term effects on the Coast Guard's overall mission effectiveness as a result of these cuts.

Title: Assuring the Freedom of Americans on the High Seas: The United States' Response to Piracy

Date: March 16, 2011

Purpose: Received testimony from Coast Guard Admiral Kevin Cook, Director of Prevention Policy for Marine Safety, Security, and Stewardship, Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats William Wechsler, Principal Deputy Assistant Secretary of State for Political and Military Affairs Kurt Amend, and GAO Director of Maritime and Coast Guard Issues Stephen L. Caldwell, regarding ways to improve the Federal government's efforts to safeguard American lives and property on the high seas against acts of piracy, with specific attention being given towards the high volume of piratical attacks occurring off the Horn of Africa.

Summary: The sailing vessel QUEST with four American citizens onboard was transiting the Gulf of Aden in early February 2011 and was attacked and the crew taken hostage. During the negotiations, all four American hostages were killed by the pirates. This incident, along with an estimated 87 other pirate attacks against vessels on the high seas this calendar year, led the Subcommittee to examine all aspects of pirate operations, from the land-based "pirate academy" that now exists on the coast of Somalia to pirate operations using larger "mother ships" to vastly extend their range in which they can attack vessels of opportunity. The State Department also testified in regards to the ransom process and ways in which the U.S. government can track ransom payments to find those profiting from acts of piracy on the high seas.

Title: Improving and Streamlining the Coast Guard's Acquisition Program

Date: April 13, 2011

Purpose: Received testimony from Coast Guard Vice Admiral John Currier, Deputy Commandant for Mission Support, and from Mr. John P. Hutton, Director of Acquisition and Sourcing Management for the GAO, regarding the current status of the Coast Guard's acquisition programs, as well as a review of the policies and procedures the Service uses to determine mission needs requirements and the correct types and number of assets needed to meet those requirements.

Summary: The hearing focused on the Coast Guard's latest acquisition program after the failed Deepwater program that started in 2002 was essentially scrapped and replaced in 2007 with an in-house acquisitions directorate. The current acquisition program includes significant process improvements over the Lead System Integrator processes used under Deepwater. However, major Coast Guard acquisitions still face significant cost overruns and schedule delays. Specifically, the Subcommittee questioned the Coast Guard on its unreasonable expectation of future funding. In addition, the Coast Guard has experienced major delays and mismanagement of development and delivery of its National Security Cutters that

were a part of the original Deepwater program. The Subcommittee looked into the acquisition process that led to the delays and cost overruns.

The Subcommittee also examined a report issued by the GAO on the Coast Guard's acquisition process. In the report, the GAO made several recommendations to reduce bureaucratic inefficiencies within the Coast Guard's acquisition directorate to reduce cost overruns and delays. The Subcommittee questioned the Coast Guard and the GAO on ways these recommendations can be implemented.

Title: Creating U.S. Maritime Industry Jobs by Reducing Regulatory Burdens

Date: May 24, 2011

Purpose: Receive testimony from Coast Guard Rear Admiral Kevin Cook, Director of Prevention Policy, and from Mr. Calvin Lederer, Deputy Judge Advocate General of the Coast Guard, regarding the status of the Coast Guard maritime rulemaking process. The hearing focused on specific rules and regulations that are unnecessarily burdensome to the maritime industry.

Summary: Members of the Subcommittee were particularly interested in a proposed rule by the Coast Guard that would expand the Notice and Arrival and Departure and Automatic Identification System requirements to many smaller commercial vessels operating in U.S. navigable waters. Members were concerned the regulation would seriously hinder the ability of smaller commercial vessels to conduct normal operations in the coastwise trade that typically respond to short notice supply and demand schedules. In addition, Members were concerned that oil rigs operating offshore that need short notice servicing would not be able to do so under the proposed regulation.

The Subcommittee also looked at ways in which the Coast Guard can reduce its backlog of rulemaking projects as required by enacted laws. Despite the expansion of the rulemaking staff in the Coast Guard in 2009, there remains a significant backlog of proposed rules that have been required by previous legislation. This backlog creates uncertainty in the maritime industry and has an effect on domestic trade. The Subcommittee questioned the witnesses on ways to reduce this uncertainty that is dampening the creation of U.S. maritime jobs.

Title: Creating Jobs and Increasing U.S. Exports by Enhancing the Marine Transportation System

Date: June 14, 2011

Purpose: Received testimony from the Honorable David Matsuda, Administrator of the Maritime Administration, Mr. Joseph J. Cox, President & CEO of the Chamber of Shipping of America, Mr. Michael Roberts, Chief Counsel of the Crowley Maritime Corporation and testifying on behalf of the American Maritime Partnership, Mr. Augustin Tellez, Executive Vice President of the Seafarers International Union, and Mr. John Mohr, Executive Director of the Port of Everett, WA, regarding ways to increase U.S. exports and U.S. commerce by increasing coastwise and international trade through the U.S. marine transportation system.

Summary: The Subcommittee heard from various U.S. maritime industry stakeholders and the head of the Maritime Administration

on various ways to enhance and expand the U.S. marine transportation system and create U.S. maritime jobs without burdening the American taxpayer. The Jones Act was specifically targeted by both members and witnesses alike as being a key component in preserving American maritime jobs and the U.S. shipbuilding industry. Other issues examined included Cargo Preference Laws that require certain percentage of government impelled cargo to be carried on U.S. owned, U.S. flagged, U.S. crewed, and U.S. built vessels.

Subcommittee on Economic Development, Public Buildings, and Emergency Management

To date, the Subcommittee on Economic Development, Public Buildings, and Emergency Management, chaired by Representative Jeff Denham with Delegate Eleanor Holmes Norton serving as Ranking Member, held nine Subcommittee hearings (38 witnesses and approximately 18 hours). The Subcommittee also held one markup session.

HEARINGS

Title: Sitting on Our Assets: Cutting Spending and Private Redevelopment of Underperforming Buildings

Date: February 10, 2011

Purpose: Received testimony on the costs to the taxpayer of underperforming or vacant assets, models for their redevelopment or reuse, and how spending can be reduced through private redevelopment of underperforming assets. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Summary: The Subcommittee received testimony from the General Services Administration (GSA) Public Buildings Services Commissioner, the director of the Physical Infrastructure Team of the GAO, and the Chairman of the 2005 DoD Base Realignment and Closure (BRAC) Commission.

This field hearing was held at the Annex of the Old Post Office Building on Pennsylvania Avenue, N.W. in downtown Washington. The Old Post Office Building is just one example of a poorly managed federal property. The Annex, which was built with \$1.8 million in government funding in addition to millions in private funds, has been unoccupied for 10 years. According to reports, the maintenance of the vacant Annex costs taxpayers \$6.5 million each year.

GSA testified in agreement that the Old Post Office Building Annex was a commercial failure and that it would transform the asset for better use and to put up a Request for Proposals for private redevelopment. GSA told the Subcommittee that it was taking the necessary steps to aggressively renovate and reuse other underperforming federal properties across the country. The Chairman of the 2005 BRAC Commission explained the process for the past realignment of military installations and how it could be applied to civilian property in order to maximize value from underperforming assets.

Title: Managing Costs and Mitigating Delays in the Building of Social Security's New National Computer Center

Date: February 11, 2011

Purpose: A joint oversight hearing between the Subcommittee on Economic Development, Public Buildings, and Emergency Management and the Committee on Ways and Means, Subcommittee on Social Security to receive testimony on the site selection and construction of the Social Security Administration's (SSA) new national computer processing and data storage facility to replace the National Computer Center (NCC), currently located in Woodlawn, Maryland. The hearing was conducted pursuant to the Committee's plan of supervision for the construction and renovation of federal property under the American Recovery and Reinvestment Act of 2009.

Summary: The Subcommittees received testimony from the Inspector General of the Social Security Administration, the deputy commissioner of the GSA Public Buildings Service, and the deputy commissioner of Systems for the SSA.

The Subcommittees previously held a joint hearing on the new NCC on December 15, 2009. The new facility is funded from the American Recovery and Reinvestment Act, which provided \$500 million for the project. The replacement of the NCC is the single largest building project funded under the American Recovery and Reinvestment Act.

The Subcommittees were concerned with delays in site selection and its effect on the project's budget. GSA testified that it had selected a site at Urbana in Frederick County, Maryland, in early February 2011 and was beginning the process for design/build construction solicitation. GSA noted that the project remained on budget but pushed back the construction completion date from October 2013 to September 2014. SSA detailed aspects of the Information Technology (IT) workload for the new NCC, which will take responsibility for certifying payments of over \$60 billion a month to 50 million American seniors.

Title: American Presidential Libraries: Their Mission and Their Future

Date: February 28, 2011

Purpose: Received testimony in a joint hearing between the Committee on Transportation and Infrastructure and the Committee on Oversight and Government Reform on presidential libraries.

Summary: The Committees received testimony from the Archivist of the United States, directors of presidential libraries, a family member of a former president, and an historian. With over two million visitors per year, the presidential libraries are national treasures that serve as centers for the study of the executive branch and individual presidents by historians, students, and the general public. Testimony from witnesses focused on the relationship between the Federal government and our nation's public and private presidential libraries. Witnesses examined the future role of the government and other cooperative relationships that will assist these vital institutions. Specific topics of discussion included the digitalization of presidential materials and the role of newer technology in the mission of the libraries. Presidential Library directors also elaborated on how the enormous volume of presidential

correspondence, memoranda, and other documents are processed by archivists. The cost of maintaining library facilities throughout the nation by the Federal government was also discussed. Relating to this topic, the benefits and shortfalls of a central repository for presidential materials located in Washington, D.C. were debated by the participants.

Title: Cutting Spending and Consolidating Federal Office Space: GSA's Capital Investment and Leasing Program

Date: March 10, 2011

Purpose: Receive testimony on GSA's Capital Investment and Leasing Program (CILP) including alteration, design, modernization, construction, leasing and building purchase activities. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and the Federal Buildings Fund (FBF).

Summary: The Subcommittee received testimony from the commissioner of GSA's Public Building Service (PBS). The CILP provides the necessary resources to maintain current real property assets and acquire new or replacement assets, through ownership or leasing. The President's FY 12 Budget requests a total of \$9.5 billion in new obligational authority for the FBF to fund various projects. At the hearing, the PBS Commissioner testified about its requests for \$840 million for new construction projects including five new land ports of entry, FBI consolidation in San Juan, PR, and the St. Elizabeth's DHS consolidation in Washington, D.C. GSA also requested more than \$395 million in funding for repairs and alterations.

Title: Improving the Nation's Response to Catastrophic Disasters: How to Minimize Costs and Streamline our Emergency Management Programs

Date: March 30, 2011

Purpose: Received testimony on how to better respond to disasters in the wake of the catastrophic earthquakes that devastated Japan in early March 2011. The hearing was conducted pursuant to the Committee's Oversight Plan for streamlining emergency management programs.

Summary: The Subcommittee received testimony from representatives of the Federal Emergency Management Agency (FEMA), the U.S. Forest Service, the Nuclear Regulatory Commission (NRC), the American Red Cross, and state and local emergency managers.

This hearing was held in response to the catastrophic earthquakes that devastated Japan in early March 2011. It specifically focused on using better coordination between local, state, and federal authorities. With saving lives being the top priority in disaster recoveries, minimizing costs and cutting the bureaucratic red tape are also of utmost importance.

FEMA testified on improvements made to disaster preparedness through its "Whole Community" approach. This program recognizes that FEMA is not the nation's sole emergency management team and to achieve maximum effectiveness in preparedness and recovery, FEMA must work with the entire emergency management community. FEMA also touched upon its national public service campaign, *Ready*. The program partners with the Advertising

Council to educate and empower Americans to prepare for and respond to all emergencies, including natural disasters and potential terrorist attacks. The goal of the campaign is to get the public involved and to increase the level of basic preparedness across the nation.

Title: Can a Civilian BRAC Commission Consolidate Federal Office Space and Save Taxpayers Billions?

Date: April 6, 2011

Purpose: Received testimony on whether a civilian BRAC process can effectively consolidate federal office space, maximize value to the taxpayer, and save taxpayers billions. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Summary: The Subcommittee received testimony from the Office of Management and Budget, the GSA, the GAO, and the Chairman of the 2005 DoD BRAC Commission.

In FY 2009, the Federal government spent \$1.7 billion in annual operating costs for underutilized buildings and \$134 million annually for excess buildings. A civilian BRAC process, which would establish a fair process of evaluating federal space needs, has the potential to save the taxpayers billions of dollars by addressing the currently underutilized federal real property and over-reliance on costly leasing. GAO conducts biennial reviews on high-risk areas within the Federal government to bring focus to specific areas needing added attention and oversight. Areas are identified as "high" risk due to their greater vulnerabilities to fraud, waste, abuse, and mismanagement or areas that need broad-based transformation to address major economic, efficiency, or effectiveness challenges. Unfortunately, despite executive orders and memoranda issued during two administrations and acts of Congress intended to improve the management of federal real property, these problems persist. GAO acknowledged that while the government works to improve its real property planning the government still has not made significant reductions in excess property. GAO added that a process similar to DoD's BRAC Commission could help move this program forward.

Title: Richard H. Poff Federal Building Renovation: Is it Costing the Taxpayer Too Much?

Date: April 14, 2011

Purpose: Receive testimony on the renovation and modernization of the Richard H. Poff Federal Building, located in Roanoke, Virginia. The hearing was conducted pursuant to the Committee's plan of supervision for the construction and renovation of federal property under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

Summary: The Subcommittee received testimony from Congressman Bob Goodlatte, the Mid-Atlantic Regional Administrator of the GSA, the Inspector General of GSA, and the Clerk of the U.S. District Court of Western Virginia.

The costs of the Poff Federal Building renovation are projected to exceed the project's estimated \$51 million price tag by \$10-15 million or more. According to the GSA, the purpose of the project

is to update building systems and improve its emergency efficiency by incorporating “greening” elements. Included in the American Recovery and Reinvestment Act was \$5.5 billion for the FBF of the GSA. The American Recovery and Reinvestment Act designated \$4.5 billion of those funds for converting GSA buildings into High Performance Green Buildings, as defined by the Energy Independence and Security Act (EISA) of 2007. The Richard H. Poff Federal Building (Poff Federal Building) is included in GSA’s Spend Plan as an American Recovery and Reinvestment Act project. The property is located in Roanoke, Virginia and was constructed in 1975. It has approximately 316,000 gross square feet of space and is occupied by the Department of Veterans Affairs (VA) (49%), the U.S. courts and U.S. Marshals (36%), and other agencies (15%). Congressman Goodlatte has expressed concerns and has followed up with GSA and the GSA IG on a number of these issues, such as to the cost-benefit analysis related to some of the greening elements, whether the renovation costs are reasonable, whether renovation was the most cost-effective solution for meeting the tenants’ space needs, and the impact of the construction on the tenant agencies. In addition, Senators Webb and Warner, both of Virginia, have also expressed concerns, particularly regarding the impact of the renovation on current tenants.

Title: How to Stop Sitting on Our Assets: A Review of the Civilian Property Realignment Act

Date: May 12, 2011

Purpose: Received testimony on specific legislative proposals to employ a BRAC-like process to civilian properties to produce significant savings to the taxpayer. The hearing was conducted pursuant to the Committee’s plan for oversight of real property management and waste, fraud, abuse or mismanagement of government programs.

Summary: The Subcommittee received testimony from the Office of Management and Budget, the Department of State, the Chairman of the 2005 DoD BRAC Commission and the private sector.

H.R. 1734, the Civilian Property Realignment Act, was introduced by Subcommittee Chairman Jeff Denham on May 4, 2011. The legislation would establish a framework through which a board or commission would independently review federal properties and make recommendations for consolidations, co-locations, redevelopment, selling or other actions to minimize costs and produce savings for the taxpayer. The Office of Management and Budget (OMB) estimates that the proposal could save taxpayers more than \$15 billion.

The Administration submitted a similar proposal for a civilian BRAC in early 2011. The OMB Controller testified that the differences between the Denham and Administration proposals are bridgeable and that he looked forward to continuing to work together to establish a civilian BRAC process. H.R. 1734, would create a nine member commission appointed by the President and confirmed by the Senate with input from House and Senate leadership. The Administration’s proposal requires Federal agencies to send information and initial recommendations to the Board. H.R. 1734 would require initial recommendations submitted to the Commission be compiled through GSA, in consultation with the chair-

person of the Federal Real Property Council, and analyzed against standardized criteria that are consistent with the standards detailed in the legislation and published in the Federal Register. The Administration's proposal includes additional provisions for an annual review of the postal field offices and an annual assessment of the assets owned or managed by the State Department's Bureau of Overseas Building Operations. The Administration's proposal terminates the Board in 12 years. H.R. 1734 terminates the Commission in 6 years. H.R. 1734 also mandates an independent leasing authority and requires that agencies seeking to lease space for the purposes of a public building work through GSA to acquire such space. The witnesses stressed the importance of private sector participation and expertise to the success of the initiative. The managing partner of JBG Companies, which invests, develops, and manages commercial real estate in the Washington area, testified if the private sector sees progress with a civilian BRAC process and the opportunity to work with the Federal government, many would "come out of the woodwork" with proposals to better utilize Federal properties and save taxpayers money.

Title: The Securities and Exchange Commission's \$500 Million Fleecing of America

Date: June 16, 2011

Purpose: Received testimony on the Securities and Exchange Commission's (SEC) management of its independent authority to lease space and the May 16, 2011, SEC Inspector General (IG) report related to SEC's lease procurement of 900,000 square feet of space under a 10-year lease worth over \$500 million. The hearing was conducted pursuant to the Committee's plan for oversight of agencies with independent leasing authority and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Summary: The Subcommittee received testimony from the SEC, the SEC Inspector General, and the GSA.

On July 28, 2010, the SEC entered into a sole source lease for 900,000 square feet of space with an option to lease 500,000 additional square feet at Constitution Center located at 7th and D Streets, S.W., in Washington, D.C. The SEC's rationale for the need for new space related to passage of Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank), which expanded SEC's responsibilities. The \$556 million lease was "negotiated" in three business days and signed on July 28, 2010, and not long after it was signed questions were raised regarding whether the SEC needed the space. The building is owned by David Nassif Associates (Landlord) and is the former location of the DOT headquarters. The building was completely renovated by the Landlord to be a modern, efficient class-A office building, reportedly exceeding Level IV security standards and is expected to be rated LEED Gold, a top green building certification. Following reports of the lease agreement, the SEC IG initiated an investigation into the lease. On May 16, 2011, the SEC IG concluded its investigation and, at the request of the Subcommittee, the SEC released the report to the Subcommittee.

ENACTED LEGISLATION

Title: To designate the United States Courthouse under construction at 98 West First Street, Yuma, Arizona, as the “John M. Roll United States Courthouse”

Public Law Number: P.L. 112–2 (February 17, 2011)

Bill Number: S. 188

Summary: The law designated the United States Courthouse under construction at 98 West First Street, Yuma, Arizona, as the John M. Roll United States Courthouse.

Judge John M. Roll was born in Pittsburgh, Pennsylvania, in 1947. After moving to Arizona, he studied at the University of Arizona, where he received both his undergraduate and law degrees. His distinguished legal career spanned nearly forty years and included prosecutorial positions at the city, county, and federal levels. Roll began his career by serving as an assistant city attorney in Tucson, Arizona and later as deputy county attorney in Pima County, Arizona. He was later appointed a state judge and served on the Arizona Court of Appeals, where he became vice-chief judge. In 1991, Roll was nominated to the federal bench by President George H.W. Bush. In 2006, he was elevated to chief judge of the U.S. District Court of Arizona.

On January 8, 2011, Judge Roll was assassinated in a shooting massacre at an Arizona supermarket that left six people dead and thirteen wounded, including Congresswoman Gabrielle Giffords of Tucson.

Title: To designate the Federal building and United States Courthouse located at 217 West King Street, Martinsburg, West Virginia, as the W. Craig Broadwater Federal Building and United States Courthouse

Public Law Number: P.L. 112–11 (April 25, 2011)

S. Number: S. 307

Summary: The law designates the Federal Building and the United States Courthouse located at 217 West King Street, Martinsburg, West Virginia, as the “W. Craig Broadwater Federal Building and United States Courthouse.”

Judge Broadwater was born on August 8, 1950 in Elk City, Oklahoma. He attended West Virginia University, where he earned his undergraduate and law degrees. He spent several years in private practice until he was appointed as a state circuit judge. In 1996, President Clinton nominated him to the federal bench in the Northern District of West Virginia and he was confirmed by the Senate.

In addition to his time as a U.S. District Court judge, Broadwater was a decorated military officer. After being commissioned in the U.S. Army in 1972, he began his career with a tour in Korea as an Army Military Intelligence Officer. Broadwater continued his service with the West Virginia National Guard, where he eventually rose to the rank of Brigadier General. His awards included the Defense Superior Service Medal and the Bronze Star.

Judge Broadwater died on December 18, 2006 after a long battle with cancer. He is survived by his wife and three children.

Title: Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby

Resolution Number: H. Con. Res. 16 (Passed the House on May 11, 2011)

Summary: H. Con. Res. 16 authorizes the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

Title: Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

Resolution Number: H. Con. Res. 46 (Passed the House on May 11, 2011)

Summary: H. Con. Res. 46 permits the Grand Lodge of the Fraternal Order of Police and its auxiliary to sponsor a free public event, the 30th annual National Peace Officers' Memorial Service, on the Capitol grounds on May 15, 2011, to honor the law enforcement officers who died in the line of duty during 2010.

OTHER LEGISLATION

Title: To re-designate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building"

Bill Number: H.R. 362 (Passed the House on May 2, 2011)

Summary: H.R. 362 re-designates the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building.

The former presidents George H.W. Bush and George W. Bush have honorably served this nation for many decades. President George H.W. Bush dedicated his life to public service. His public service began when he was just 18 and enlisted in the armed forces. He became the youngest pilot in the Navy when he earned his wings and flew 58 combat missions, receiving the Distinguished Flying Cross for bravery in action after getting shot down by anti-aircraft fire.

Later, he was elected to Congress as a representative from the state of Texas and served in this chamber for two terms. Subsequently, he served in various other public service positions critical to the nation, including as Ambassador to the United Nations, as Chief of the U.S. Liaison Office in China, and as Director of the Central Intelligence Agency. He was later elected Vice President in 1982 and stood by President Ronald Reagan's side for eight years, contributing to the policies that brought the Cold War to an end. In 1988, he was elected the 41st President of the United States. During his term in office, he skillfully navigated the diplomacy with new nations created following the breakup of the Soviet Union and helped to overthrow and bring to justice the corrupt Manuel Noriega regime in Panama. In February 2011 President George H.W. Bush was awarded the Presidential Medal of Freedom by President Barack Obama. This award is the highest civilian honor given for "an especially meritorious contribution to the security or national interests of the United States, world peace, cultural, or other significant public or private endeavors."

In 2000, his son, George W. Bush, followed in his footsteps when he was elected the 43rd President of the United States, after serving six years as the Governor of Texas. President George W. Bush

led our Nation in response to the worst terrorist attack on our soil. He helped to unite the Nation after the 9–11 terrorist attacks and, under his leadership, led the reforms of our intelligence and security capabilities to better counter this unconventional threat. During his two terms, he effectuated the overthrow of a dictator in Iraq and removed the Taliban from power in Afghanistan, upsetting a key staging ground for Al-Qaida and bringing democracy to an oppressed country.

Title: To direct the Administrator of General Services to transfer administrative jurisdiction, custody, and control of the building located at 600 Pennsylvania Avenue, N.W., in the District of Columbia, to the National Gallery of Art, and for other purposes.

Bill Number: H.R. 690 (Ordered reported on February 16, 2011)

Summary: H.R. 690, the Federal Trade Commission and National Gallery of Art Facility Consolidation, Savings, and Efficiency Act of 2011, requires the Administrator of GSA, not later than December 31, 2014, to transfer administrative jurisdiction, custody, and control of the building located at 600 Pennsylvania Avenue, N.W., in Washington, D.C., to the National Gallery of Art (NGA) and to name such building as the North Building of the National Gallery of Art. The legislation requires the National Gallery of Art to pay the costs of remodeling, renovating, or reconstructing such building. The Administrator of GSA also must relocate the offices of the Federal Trade Commission (FTC) to other modernized buildings in Washington, D.C., that are owned by the Federal government.

H.R. 690 saves the taxpayers an estimated \$300 million in avoided renovation and lease costs of the FTC and NGA. Additional benefits include \$200 million in non-taxpayer renovations of the Apex Building by the NGA. The Apex building will be utilized more efficiently by the NGA, as currently only a little more than half of the facility's 306,000 square feet is usable for FTC operations.

Title: Committee Resolution—To reduce facility costs by consolidating National Gallery of Art and Federal Trade Commission operations in the District of Columbia

Date: February 16, 2011 (Approved by Full Committee)

Summary: Expressed the Committee's view that the GSA shall transfer administrative jurisdiction and custody and control of the building located at 600 Pennsylvania Avenue, NW, Washington, D.C. to the National Gallery of Art and relocate the Federal Trade Commission, currently located at 600 Pennsylvania Avenue, NW, Washington, D.C.

Title: The Civilian Property Realignment Act

Bill Number: H.R. 1734 (Ordered reported favorably to the Full Committee on May 25, 2011)

Summary: H.R. 1734 was introduced by Subcommittee Chairman Jeff Denham on May 4, 2011. The legislation would establish a framework through which a board or commission would independently review Federal properties and make recommendations for consolidations, co-locations, redevelopment, selling or other actions to minimize costs and produce savings for the taxpayer. OMB estimates that the proposal could save taxpayers more than \$15 billion.

Subcommittee on Highways and Transit

To date, the Subcommittee on Highways and Transit, chaired by Representative John J. Duncan, Jr., with Peter A. DeFazio serving as Ranking Member, held three hearings (52 witnesses and approximately 10 hours), covering numerous issues within the jurisdiction of the Subcommittee.

HEARINGS

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Beckley, West Virginia Field Hearing

Date: February 14, 2011

Purpose: Received testimony on the local transportation challenges facing the State of West Virginia, and the local area surrounding Beckley. Pursuant to the belief that the best ideas come outside of Washington, and that state and local governments know their needs best, the Committee held multiple field hearings and listening sessions across the country in order to gather specific policy proposals for reauthorization of the Federal surface transportation programs.

Summary: This field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011. The Committee received testimony from the West Virginia Secretary of Transportation, an executive director of a contractors association, an executive director of an expressway authority, an executive director of a highway authority, an executive director of a county redevelopment authority, and a program director of a transportation institute. The witnesses discussed specific suggestions and policy proposals to improve and reform the nation's surface transportation programs.

DOT currently administers over 100 highway, transit, and highway safety programs, many of which serve duplicative purposes or are no longer needed. The hearing focused on ways to consolidate or eliminate these duplicative or unnecessary programs and study performance management approaches that increase the accountability and transparency of Federal surface transportation funds, as well as creative financing solutions and private sector investment into transportation projects.

With the Highway Trust Fund (HTF) expected to run out of money in 2013, innovative financing tools and private sector investment in financing surface transportation projects were methods the Committee discussed with the witnesses and will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The hearing also focused on potential reforms to the project delivery process and explored what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

Title: Accelerating the Project Delivery Process: Eliminating Bureaucratic Red Tape and Making Every Dollar Count

Date: February 15, 2011

Purpose: Received testimony related to improving the existing laws and regulations governing project delivery in order to accelerate the delivery process for surface transportation projects. The hearing was part of the Subcommittee's efforts to reauthorize federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011.

Summary: Limited financial resources for transportation infrastructure can be more effectively utilized by speeding up the process for project approval. According to the "Highway Planning and Project Development Process" timeline put together by the Federal Highway Administration, the Federal project delivery process can take up to 15 years from planning through construction. An analysis conducted by the National Surface Transportation Policy and Revenue Committee found that a \$500 million project that took 14 years to complete would see its cost double due to the impact of delays and inflation.

The Subcommittee heard testimony from Victor Mendez, Administrator of the FHWA, Debra L. Miller, Secretary of the Kansas DOT on behalf of the American Association of State Highway and Transportation Officials (AASHTO), Will Kempton, Chief Executive Officer of the Orange County Transportation Authority, Tom Margro, Chief Executive Officer of the Transportation Corridor Agencies, and Michael Replogle, Global Policy Director and Founder of the Institute for Transportation and Development Policy.

The Subcommittee heard testimony specifically relating to streamlining and cutting redtape that so often hinders the cost-effectiveness of surface transportation projects. The Subcommittee discussed with the witnesses the improvements that could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects. As the reauthorization of the Federal surface transportation programs moves forward, the Subcommittee will look at potential reforms to the project delivery process.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Columbus, Ohio Field Hearing

Date: February 19, 2011

Purpose: Received testimony on the local transportation challenges facing the State of Ohio, and the local area surrounding Columbus. Pursuant to the belief that the best ideas come outside of Washington, and that state and local governments know their needs best, the Committee held multiple field hearings and listening sessions across the country in order to gather specific policy proposals for reauthorization of the Federal surface transportation programs.

Summary: This field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011. The Committee received testimony from the State Director of the Ohio DOT, a president of a local construction company, a local county engineer, a local mayor, a chairman of a railcar company, and several other witnesses representing different interests within the transportation community.

The witnesses discussed specific suggestions and policy proposals to improve and reform the nation's surface transportation programs.

With the HTF expected to run out of money in 2013, innovative financing tools and private sector investment in financing surface transportation projects were methods the Committee discussed with the witnesses and will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The hearing also focused on potential reforms to the project delivery process and explored what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

Title: Improving and Reforming Our Nation's Surface Transportation Programs to Support Job Creation and the Economy

Date: February 23, 2011

Committee: A joint hearing between the Subcommittee on Highways and Transit and the U.S. Senate Committee on Environment and Public Works.

Purpose: Received testimony in a joint hearing in Los Angeles, California, with the U.S. Senate on the local transportation challenges facing Southern California and the State of California. This bi-cameral field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011.

Summary: Pursuant to the belief that the best ideas come outside of Washington, and that state and local governments know their needs best, the Committee held this hearing in conjunction with the U.S. Senate Committee on Environment and Public Works in an effort to receive testimony from a number of representatives from different transportation industries. The Committee received testimony from the Mayor of Los Angeles, the State Director of the California DOT, a chief executive officer of a county transportation authority, two different executive directors of local transportation commissions, and several other transportation industry representatives. The witnesses provided the Committee with specific suggestions and policy proposals to improve and reform the nation's surface transportation programs.

At the hearing, witnesses testified on the cash balance in the Highway Account of the HTF. The Highway Account had a balance of \$22.55 billion at the end of FY 2000. The balance dropped to \$13 billion by the expiration of TEA 21—the previous six-year surface transportation authorization—at the end of FY 2003. In September 2008 the balance in the Highway Account decreased to a level requiring Congress to transfer \$8 billion into the HTF from the General Fund. Subsequent General Fund transfers to the HTF in 2009 and 2010 totaled \$26.5 billion. Current projections show the cash balance in the Highway Account of the HTF will be depleted sometime in 2013 and the Mass Transit Account will be depleted sometime in 2014.

With the HTF expected to be depleted in 2013, the witnesses provided ideas for innovative financing tools and private investment in financing surface transportation projects, methods the Sub-

committee will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The Subcommittee also gathered ideas on potential reforms to the project delivery process and explored what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

DOT currently administers over 100 highway, transit, and highway safety programs, many of which serve duplicative purposes or are no longer needed. The Committee discussed with the witnesses approaches that would consolidate or eliminate duplicative or unnecessary programs. The Committee will study performance management approaches that increase the accountability and transparency of Federal surface transportation funds moving forward to ensure their effectiveness.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Oklahoma City, Oklahoma Field Hearing

Date: February 24, 2011

Purpose: Received testimony on the local transportation challenges facing the State of Oklahoma, and the local area surrounding Oklahoma City. Pursuant to the belief that the best ideas come outside of Washington, and that state and local governments know best what they need, the Committee held multiple field hearings and listening sessions across the country in order to gather specific policy proposals for reauthorization of the Federal surface transportation programs.

Summary: This field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011. The Committee received testimony from the Governor of Oklahoma, the State Secretary of the Oklahoma DOT, presidents of local construction groups, a president of a safety group, and a transportation revenue group. The witnesses discussed specific ideas, suggestions and policy proposals to improve and reform the nation's surface transportation programs.

At the hearing, witnesses testified on the cash balance in the Highway Account of the HTF. The Highway Account had a balance of \$22.55 billion at the end of FY 2000. The balance dropped to \$13 billion by the expiration of TEA 21—the previous six-year surface transportation authorization—at the end of FY 2003. In September 2008 the balance in the Highway Account decreased to a level requiring Congress to transfer \$8 billion into the HTF from the General Fund. Subsequent General Fund transfers to the HTF in 2009 and 2010 totaled \$26.5 billion. Current projections show the cash balance in the Highway Account of the HTF will be depleted sometime in 2013 and the Mass Transit Account will be depleted sometime in 2014.

With the HTF expected to be depleted in 2013, the witnesses provided ideas for innovative financing tools and private investment in financing surface transportation projects, methods the Subcommittee will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The Subcommittee also gathered ideas on potential re-

forms to the project delivery process and explored what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

DOT currently administers over 100 highway, transit, and highway safety programs, many of which serve duplicative purposes or are no longer needed. The Committee discussed with the witnesses approaches that would consolidate or eliminate duplicative or unnecessary programs. The Committee will study performance management approaches that increase the accountability and transparency of Federal surface transportation funds moving forward to ensure their effectiveness.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Maitland, Florida Field Hearing

Date: March 14, 2011

Purpose: Received testimony on the local transportation challenges facing Florida, and the greater Orlando area. Pursuant to the belief that the best ideas come outside of Washington, and that state and local governments know best what they need, the Committee held multiple field hearings and listening sessions across the country in order to gather specific policy proposals for reauthorization of the Federal surface transportation programs.

Summary: This field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011. The Committee received testimony from an engineer from the Florida DOT, a president of a transportation builders association, a local county chairman, a local staff director of a metropolitan planning organization, a president of a high-speed rail company, a representative of the transportation disadvantaged community, and a partner from a national law firm. The witnesses discussed specific ideas, suggestions and policy proposals to improve and reform the nation's surface transportation programs.

With the HTF expected to run out of money in 2013, innovative financing tools and private investment in financing surface transportation projects were discussed to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The witnesses also testified on potential reforms to the project delivery process and what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

DOT currently administers over 100 highway, transit, and highway safety programs, many of which serve duplicative purposes or are no longer needed. The Committee discussed with the witnesses approaches that would consolidate or eliminate duplicative or unnecessary programs. The Committee will study performance management approaches that increase the accountability and transparency of Federal surface transportation funds moving forward to ensure their effectiveness.

Title: Improving and Reforming the Nation's Surface Transportation Programs

Date: March 29, 2011 and March 30, 2011

Purpose: Received stakeholder testimony related to the reauthorization of the Federal surface transportation programs. These hearings were part of the Subcommittee's effort to reauthorize Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011.

Summary: The Subcommittee received testimony regarding views and proposals on reauthorization of the Federal surface transportation programs from the surface transportation community, including highways, transit, highway safety and motor carrier safety interests. The witnesses offered ideas and suggestions for improving and reforming the nation's surface transportation programs.

The Highway Account of the HTF had a balance of \$22.55 billion at the end of FY 2000. The balance dropped to \$13 billion by the expiration of TEA 21—the previous six-year surface transportation authorization—at the end of FY 2003. In September 2008, the balance in the Highway Account decreased to a level requiring Congress to transfer \$8 billion into the HTF from the General Fund. Subsequent General Fund transfers to the HTF in 2009 and 2010 totaled \$26.5 billion. Current projections show the cash balance in the Highway Account of the HTF will be depleted sometime in 2013 and the Mass Transit Account will be depleted sometime in 2014.

With the HTF expected to be depleted in 2013, the witnesses provided ideas for innovative financing tools and private investment in financing surface transportation projects, methods the Subcommittee will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The Subcommittee also gathered ideas on potential reforms to the project delivery process and explored what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

DOT currently administers over 100 highway, transit, and highway safety programs, many of which serve duplicative purposes or are no longer needed. The Subcommittee discussed with the witnesses approaches that would consolidate or eliminate duplicative or unnecessary programs. The Subcommittee will study performance management approaches that increase the accountability and transparency of Federal surface transportation funds moving forward to ensure their effectiveness.

Title: Policy Proposals from Members of Congress to Reform the Nation's Surface Transportation Programs

Date: April 5, 2011

Purpose: Received testimony from Members of Congress on their policy proposals for the reauthorization of the Federal surface transportation programs. This hearing was part of the Subcommittee's effort to reauthorize Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011.

Summary: The Subcommittee received testimony from Members of Congress representing Ohio, California, Kentucky, New York, Texas, Oregon, North Carolina, Connecticut, Massachusetts, and Pennsylvania who presented ideas and policy proposals for improving and reforming the Nation's surface transportation programs.

Compounding the state, local, and private sector funding and financing shortfalls severely hinders the ability to adequately finance surface transportation programs. Members addressed the critical issue of Federal surface transportation funding and financing shortfalls the Nation faces. With the HTF expected to be depleted in 2013, Members provided the Subcommittee with innovative financing tool proposals and ideas for private investment in financing surface transportation projects; methods the Subcommittee will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources. The Subcommittee also looked at potential reforms to the project delivery process by exploring what improvements could be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and reduce the cost of transportation projects.

Members provided the Subcommittee with specific policy proposals that would streamline the project delivery process, develop a programmatic reform agenda, propose innovative financing solutions, and create a system of performance standards that increase transparency and accountability of Federal surface transportation funds. With the HTF expected to be depleted in 2013, Members provided the Subcommittee with innovative financing tools and private investment in financing surface transportation projects they supported and methods the Subcommittee will explore to help the Federal government and states find ways to do more with less and better leverage existing revenue sources.

Title: How to Best Improve Bus Safety on Our Nation's Highways

Date: June 13, 2011

Purpose: Received testimony related to improving the existing laws and regulations governing bus safety. The hearing was part of the Committee's effort to reauthorize Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011.

Summary: As a result of recent high profile bus accidents in Virginia, New Jersey, and New York, questions regarding the Federal Motor Carrier Safety Administration's (FMCSA) effectiveness in keeping unsafe "rogue" bus operators off the nation's highways were raised. The Committee received testimony from Anne S. Ferro, the Administrator of the FMCSA, Major David Palmer of the Texas Department of Public Safety on behalf of the Commercial Vehicle Safety Alliance, Peter Pantuso, President and Chief Executive Officer of the American Bus Association, Victor Parra, President and Chief Executive Officer of the United Motorcoach Association, and Jaqueline S. Gillan, Vice President of the Advocates for Highway and Auto Safety. The witnesses offered ideas and specific suggestions for improving and reforming motorcoach safety and the effectiveness of DOT in keeping unsafe operators off the nation's highways.

As part of its Motorcoach Safety Action plan, the FMCSA and its state and local law enforcement partners conducted more than 3,000 surprise passenger carrier safety inspections over a two-week period in May 2011, that resulted in 442 unsafe buses or drivers being removed from the nation's highways. The strike force issued out-of-service citations to 127 drivers and 315 vehicles during the unannounced inspections. In addition to the strike force inspections, the FMCSA and state safety investigators initiated 38 full safety compliance reviews on commercial passenger bus companies. According to the FMCSA, from 2005 to 2010, it doubled the number of unannounced bus safety inspections and comprehensive safety reviews of the estimated 4,000 over-the-road bus companies. Roadside safety inspections of motorcoaches jumped from 12,991 in 2005 to 25,703 in 2010, while compliance reviews rose from 457 in 2005 to 1,042 in 2010.

Realizing that bus transportation is one of the safest modes of travel, the Committee discussed ideas that ensure Federal safety laws are effectively enforced, particularly to prevent continued operations by bad actors in the industry. In 2009, more than 35,000 buses provided 723 million passenger trips and traveled more than 58 billion passenger miles. The hearing focused on ways to curb accidents related to driver fatigue and error, and focused on specific policy provisions for the Committee's consideration to make highways safer for the traveling public.

The National Highway Traffic Safety Administration (NHTSA) is charged with improving safety on the national highway system by reducing the number of accidents and the consequences of those accidents that do occur. According to NHTSA's 2009 Traffic Safety Facts FARS/GES Annual Report, 0.6 percent of all traffic crashes involved buses and these crashes resulted in less than 50 fatalities. Although the agency does not regulate the operation of motorcoaches, NHTSA is responsible for issuing and enforcing Federal Motor Vehicle Safety Standards, which set performance criteria that every new motorcoach must meet. These standards include crash avoidance protection measures and occupant restraint systems. The witnesses discussed the effectiveness of these safety measures and whether or not the performance criteria for new motorcoach companies is stringent enough to prevent future bad actors from operating on the highways.

LEGISLATION

Title: The Surface Transportation Extension Act of 2011

Public Law Number: P.L. 112-5 (March 4, 2011)

Bill Number: H.R. 662

Summary: The Surface Transportation Extension Act of 2011 (STEa) extends, through September 30, 2011, the authority for surface transportation programs originally authorized under the Safe, Accountable, Flexible, Efficient, Transportation Equity Act—a Legacy for Users (SAFETEA-LU) that otherwise would have expired on or ceased to apply after March 4, 2011.

STEa also authorized funding for the Federal highway, transit, and highway safety programs for fiscal year 2011. Rather than authorizing additional funding for highway projects earmarked in SAFETEA-LU, STEa provides that funding to the States and al-

lows them to fund projects that they choose. STEA authorizes the Federal Transit Administration to distribute funding provided for transit earmarks in SAFETEA-LU through a competitive process.

STEA of 2011 also extends the authority to expend funds from the Highway Trust Fund and the Sport Fish Restoration and Boating Trust Fund to October 1, 2011.

Subcommittee on Railroads, Pipelines, and Hazardous Materials

To date, the Subcommittee on Railroads, Pipelines, and Hazardous Materials, chaired by Representative Bill Shuster, with Representative Corrine Brown serving as Ranking Member, held three hearings on issues related to rail and hazardous materials, and one roundtable discussion on pipeline safety issues. Additionally, the full Transportation and Infrastructure Committee held two rail-related hearings and one roundtable discussion during this period. The Subcommittee heard from 52 witnesses, including the 12 witnesses from both full Committee hearings under its jurisdiction.

HEARINGS

Title: Developing True High-Speed Rail in the Northeast Corridor: Stop Sitting on our Federal Assets: Grand Central Station, Northeast Balcony, New York, New York

Date: January 27, 2011

Purpose: Received testimony regarding the potential and development of high-speed rail in the Northeast Corridor, highlighting the importance of economic development, opportunities and incentives for private sector investment, and the need for competition and public-private partnerships.

Summary: The Committee heard testimony from the City of New York Mayor Michael Bloomberg, former Governor of Pennsylvania Ed Rendell, the regional transportation planning organization for the New York region, a national high-speed rail advocacy organization, an infrastructure investment company, and a representative of rail labor. Discussions centered on the need to develop improved and increased intercity passenger rail services in the Northeast Corridor (NEC), including real high-speed rail, and why the NEC is the premiere corridor in the U.S. for development of high-speed rail.

The NEC serves the most densely populated region in the United States, connecting the major cities of Washington, D.C., Philadelphia, New York City and Boston. As one of the most valuable transportation assets in the United States, providing the only continuous physical link, along with I-95, between the largest population centers, the NEC is mostly owned and controlled by Amtrak, the government-subsidized intercity passenger rail provider. Of the 437 total miles of the NEC, Amtrak owns and operates on 363 miles, with states controlling the remaining track. The Northeast region's population density, economic productivity, transit connectivity, and crippling congestion on the roads and in the air make the NEC the best opportunity for real high-speed rail in the U.S.

However, despite recent capital improvement projects by Amtrak and the Federal Railroad Administration (FRA), the NEC still fails to meet international standards for high-speed rail, with the Acela (Amtrak's high-speed service) averaging only 83 miles per hour between Washington, D.C. and New York and 65 miles per hour from New York to Boston. Internationally, high-speed trains can average 150 miles per hour and many nations are upgrading their trains to reach top speeds of 220 miles per hour.

Title: Roundtable—Developing True High Speed Rail to the Northeast Corridor: Stop Sitting on Our Federal Assets

Date: January 27, 2011

Purpose: Continued the discussion on developing high-speed rail in the NEC, including a broad range of stakeholders, financial investors, and local government participants.

Summary: Directly after the field hearing, Members of the Committee convened for a follow-up roundtable. The 12 roundtable participants included representatives from Amtrak, the FRA, Northeastern State representatives, infrastructure investment companies, local planning organizations, national advocacy groups, rail labor, and an advocacy organization for Amtrak riders.

Title: Sitting on our Assets: Rehabilitating and Improving our Nation's Rail Infrastructure

Date: February 17, 2011

Purpose: Received testimony on the Railroad Rehabilitation & Improvement Financing (RRIF) program, highlighting its importance in helping railroads, States and other public authorities to finance the development of railroad infrastructure, which in turn creates new jobs and drives economic benefits.

Summary: Testimony highlighted RRIF loan applicants' experiences with the RRIF program, and recommended ways to improve the DOT's management of the program. The Subcommittee heard testimony from the Deputy Secretary of DOT, short line and commuter railroad representatives, and two rail industry financial advisors. Discussions centered on how to make the RRIF program more effective and widely utilized, and to speed up the loan process at DOT.

Railroad infrastructure is crucial to our nation's economic growth and international competitiveness. The RRIF program provides low-interest federal loans and loan guarantees to finance further development of railroad infrastructure. RRIF loans are available to railroads, rail freight shippers, state and local governments, and government-sponsored authorities, and are used to make critical infrastructure improvements, refinance debt, or develop new facilities. Despite these clear advantages of the RRIF loan program, loan evaluations are often a long process that impede infrastructure improvements to our nation's railways. The bureaucratic red tape coupled with the environmental protection issues, changes in scope, limited personnel on the part of short line railroads, and the intrinsic complexity of some proposals make the RRIF application process slow and burdensome. The Subcommittee proposed the feasibility of removing some of these impediments, particularly within the DOT, to make the RRIF loan program more effective and popular.

On March 28, 2011, the Subcommittee held a bipartisan, staff-level workshop with staff from DOT, rail industry representatives, national advocacy organizations, and rail industry financial advisors to more fully discuss proposed changes and improvements to the RRIF program, for possible inclusion in the upcoming surface transportation reauthorization bill.

Title: Roundtable—Pipeline Safety

Date: March 7, 2011

Purpose: Discussed pipeline safety issues with elected officials, Federal and State pipeline safety regulators, industry stakeholders, and safety advocates discussion in King of Prussia, Pennsylvania, in response to two pipeline incidents in Pennsylvania in early 2011 and to gather information as part of the Subcommittee's efforts to reauthorize the Federal pipeline safety programs which expired on September 30, 2010.

Summary: Participating in the discussion were Members of the Pennsylvania congressional delegation, Alan Mayberry, Deputy Associate Administrator for Pipeline Safety for the DOT, Ed Pawlowski, Mayor of Allentown, PA, Craig White, CEO of Philadelphia Gas Works, John Walsh, CEO of UGI Utilities, Inc., Robert Powelson, Chairman of the Pennsylvania Utility Commission, Rick Kessler, Vice President of the Pipeline Safety Trust, and a representative of the Mayor of Philadelphia. Participants discussed the natural gas pipeline explosion that occurred in Philadelphia on January 18, 2011, and the natural gas pipeline explosion that occurred in Allentown on February 9, 2011. Participants also discussed the division of responsibilities between Federal and State regulators and pipeline owners and operators. In addition, the participants discussed changes that should be made in Federal and State laws to improve pipeline safety.

Title: Finding Ways to Encourage and Increase Private Sector Participation in Passenger Rail Service

Date: March 11, 2011

Purpose: Received testimony on intercity passenger rail in the U.S. and how to make it more effective and less expensive, specifically through private competition and to examine the FRA and Amtrak's implementation of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA).

Summary: Witnesses suggested reforms to Federal intercity passenger rail programs for possible inclusion in the upcoming surface transportation reauthorization bill. The Subcommittee heard testimony from the Administrator of the FRA, a vice president of Amtrak, a State department of transportation, an expert in international models of competitive rail operations, a representative of independent rail operators, and the AFL-CIO.

Created in 1970 under the Rail Passenger Service Act, Amtrak has been the sole provider of regularly scheduled intercity passenger rail since 1981. Amtrak operates at a loss, averaging a per-ticket taxpayer subsidy of \$54.48 per ticket. By comparison, commuter railroads are able to contract out service elements to private companies that specialize in providing those services. Amtrak competes with the private rail companies to provide commuter rail services. Currently, 11 of the 23 commuter rail systems in the U.S.

are operated by private sector operators, eight are operated in-house by the local transit authority, and four are operated under contract by Amtrak.

PRIIA, the most recent passenger rail authorization, allows for greater State control of intercity passenger rail initiatives and participation by private sector service providers. This same law also included provisions to improve Amtrak service, cost-effectiveness, and accountability. If implemented correctly, PRIIA would improve Amtrak's performance and service along with its bottom line.

Title: Federal Regulatory Overreach in the Railroad Industry: Implementing the Rail Safety Improvement Act

Date: March 17, 2011

Purpose: Received testimony on implementation of the Rail Safety Improvement Act of 2008 (RSIA), focusing on the FRA's rule implementing requirements for freight and passenger railroads to install positive train control systems by December 31, 2015.

Summary: The Subcommittee heard testimony from Representative Elton Gallegly (CA-24), the daughter of a victim of the 2008 Metrolink crash, the FRA Associate Administrator for Safety, one representative each from the Class I freight railroads, the shortline railroads, and commuter railroads, and a rail labor union representative. Discussions centered on the DOT's final rule implementing of positive train control mandate included in the Rail Safety Improvement Act, and on how that rule goes beyond Congressional intent and violates President Obama's Executive Order on January 2011, which directs that regulations shall be cost-effective and based on the best possible science, and shall not be overly burdensome on affected industries and the U.S. economy.

The Rail Safety Improvement Act (RSIA) comprises Division A of the broad rail authorization bill signed in 2008. Division B is comprised of the Passenger Rail Investment and Improvement Act, or PRIIA, which was the topic of the March 11, 2011, oversight hearing. RSIA includes major provisions meant to improve safety of freight and passenger rail operations for the benefit of rail passengers, employees, and communities. The RSIA includes a mandate for the installation of positive train control (PTC) technology on freight main lines carrying toxic-by-inhalation cargo and on all passenger rail lines. PTC technology is designed to automatically stop or slow a train before accidents caused by human error. The inclusion of the PTC mandate in RSIA was in part spurred by a major commuter rail accident in September 2008 in Chatsworth, California, in which 25 people were killed and 135 injured.

In January 2010, FRA published its final rule to implement the PTC mandate, causing great concern in the rail industry that the FRA rule exceeded the scope of the agency's regulatory powers. The 20-year costs to Class I and commuter railroads of implementing PTC are estimated by FRA to be \$13.21 billion, with a cost-to-benefit ratio of 22:1. Short line railroads would also be adversely affected although they are not explicitly required to install PTC. Instead, since they operate on tracks that would have been made PTC-compatible, short lines would also have to upgrade their own equipment.

Title: Railroad and Hazardous Materials Transportation Programs: Reforms and Improvements to Reduce Regulatory Burdens

Date: April 7, 2011

Purpose: Received testimony from stakeholders in the rail and hazardous materials safety areas regarding legislative priorities for changes or reforms to current law authorizations and administrative regulatory policies at the FRA and the Pipeline and Hazardous Materials Safety Administration (PHMSA) and to focus on the areas of intercity passenger rail, high-speed rail, rail safety, and rail financing along with hazardous materials transportation safety.

Summary: The Subcommittee heard testimony from nineteen witnesses, including representatives from the National Transportation Safety Board, Amtrak, private rail providers, rail associations, manufacturing associations, and several unions. Because of the variety of stakeholders, there were a variety of messages heard by the Subcommittee regarding the impact of FRA and PHMSA programs and regulations on the stakeholders' businesses. The Subcommittee will analyze all testimony received in this hearing as they prepare a Rail Title and Hazardous Materials Transportation Safety Title for the Surface Transportation reauthorization bill.

Title: Reducing Regulatory Burdens and Ensuring Safe Transportation of Hazardous Materials

Date: April 12, 2011

Purpose: Received testimony on the reauthorization of the hazardous materials safety programs of the PHMSA, which expired in 2008, focusing on how to reduce the regulatory burdens, and how to transport hazardous materials safely and efficiently.

Summary: The invited witnesses included the Administrator of PHMSA, representatives of parties interested in transportation of hazardous materials, and the Teamsters Union. Discussions centered on hazardous materials regulations and their impact on a variety of hazardous materials manufacturers, offerors, and shippers, and the employees of these businesses.

PHMSA promulgates and enforces hazardous materials regulations for all modes of transportation. There are 1.4 million daily movements of hazardous materials. These materials are essential to the U.S. economy and the general public.

The Subcommittee discussed streamlining the regulation process to prevent duplication, increase uniformity, and transparency. Background checks, equitable enforcement, international representation, state hazardous materials permits, cargo tank wetlines, special permits and approvals, package opening and inspection, and preemption issues were among the topics discussed.

Title: Opening the Northeast Corridor to Private Competition for Development of High-Speed Rail

Date: May 26, 2011

Purpose: Received testimony regarding the development of high-speed rail in the NEC through private competition using a public-private partnership.

Summary: Witnesses at the hearing were U.S. Senator Frank R. Lautenberg (D-NJ), a representative from the Reason Foundation, an infrastructure investor, a national real estate development and

investment representative, a national high-speed rail advocacy organization, and two rail labor representatives. Discussions centered on how private sector rail infrastructure management and passenger rail operations expertise, as well as private sector financing, can be made part of the strategy to improve and expand passenger rail services, including real high-speed rail, on the NEC.

Public-private partnerships share financing, management, and operational responsibilities for a project between public entities and private investors or partners. Private sector financing and participation would allow high-speed rail and other intercity passenger rail projects on the NEC to be developed and constructed quickly and more efficiently. Several international examples of successful and profitable rail development and operations through private sector partnering were discussed.

An alternative strategy to Amtrak's expensive and slow proposal, a "Vision for High-Speed Rail in the Northeast Corridor," was discussed at the hearing, and would allow Northeastern States to manage the Northeast Corridor infrastructure and operations under a public-private partnership model. This plan would use a request for proposals solicitation to attract competitive bids to finance, design, build, operate, and maintain high-speed and enhanced intercity passenger rail service on the NEC. Federal support for this project would still be needed, but competition will ensure that taxpayer dollars are used as efficiently as possible.

Subcommittee on Water Resources and Environment

To date, the Subcommittee on Water Resources and Environment, Chaired by Bob Gibbs of Ohio, with Timothy Bishop of New York serving as the ranking member, held two joint hearings and five Subcommittee hearings (with 22 witnesses and approximately 11.5 hours of testimony), covering the breadth of issues within the purview of the Subcommittee.

HEARINGS

Title: Improving Oil Spill Prevention and Response, Restoring Jobs, and Ensuring our Energy Security: Recommendations from the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling

Date: February 11, 2011

Purpose: A joint hearing between the Subcommittees on Water Resources and Environment and Coast Guard and Maritime Transportation to hear testimony regarding the BP Deepwater Horizon oil spill and the status of offshore drilling operations and safety.

Summary: In the wake of the Deepwater Horizon oil spill, the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling was created to find the root cause of the accident and provide recommendations on how to prevent such disasters and improve response in the future. The Commission issued their report on January 11, 2011, and it contained 14 specific recommendations that fell under the jurisdiction of the Committee on Transportation and Infrastructure.

The witnesses' testimonies elaborated on the 14 recommendations made in the report, ranging from creating an independent

agency within the Department of Interior to enforce regulations on offshore drilling, to raising the liability cap on oil production facilities, to increasing communication between Federal agencies and local governments during a Spill of National Significance. The Subcommittee will continue to provide oversight of waters, energy independence, and jobs.

Title: To Consider Reducing the Regulatory Burden Posed by the Case of *National Cotton Council v. EPA* (6th Cir. 2009) and to Consider Related Draft Legislation

Date: February 16, 2011

Purpose: A joint hearing between the Subcommittee on Water Resources and Environment and the Agriculture Committee's Subcommittee on Nutrition and Horticulture. The purpose was twofold: to hear testimony regarding the 6th Circuit Court's ruling on the *National Cotton Council v. EPA* and to consider draft legislation that would address the judicial decision.

Summary: Stakeholders from across the country and a representative of the EPA gave testimony that spoke to the burden that redundant regulation placed on their localities. The hearing resulted in the introduction of H.R. 872, the Reducing Regulatory Burdens Act of 2011, which was reported favorably by both the Transportation and Infrastructure and Agriculture Committees and was passed by the House.

Title: Review of the FY 2012 Budget and Priorities of the Environmental Protection Agency: Impacts on Jobs, Liberty, and the Economy

Date: March 2, 2011

Purpose: Following the release of the President's budget request for FY 2012, the Subcommittee met to review the budget and priorities of the EPA. Nancy Stoner, Acting Assistant Administrator, Office of Water, EPA, and Mathy Sanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, were witnesses.

Summary: Members questioned the EPA on agency "guidances," the use of numerical nutrient standards throughout the country, and other expansions of the EPA's regulations.

Title: Review of the FY 2012 Budget and Priorities of the Army Corps of Engineers, Tennessee Valley Authority, and the Natural Resources Conservation Service: Finding Ways To Do More With Less

Date: March 8, 2011

Purpose: Received testimony from the Honorable Jo Ellen Darcy, Assistant Secretary of the Army—Civil Works, Lt. Gen. Robert Van Antwerp, Chief Engineer of the Army Corps, John Thomas, Chief Financial Officer of the Tennessee Valley Authority (TVA), and Thomas Christiansen, a regional conservationist with the Department of Agriculture's Natural Resources Conservation Service (NRCS), regarding how the President's budget impacts their agencies.

Summary: The Army Corps of Engineers (Corps) provides water resources development projects, usually through cost-sharing partnerships with nonfederal sponsors. Navigation, flood damage reduction, shoreline protection, hydropower, dam safety, water supply, recreation, environmental restoration and protection, are all activi-

ties in the Corps' Civil Mission. The FY 12 budget reduces most major accounts that fund Corps projects and activities. TVA supplies power to nearly 8 million people over an 80,000 square mile service area. Their responsibilities include the multi-purpose management of land and water resources throughout the Tennessee Valley and fostering economic development. The NRCS facilitates Small Watershed Programs, Surveys and Planning, Flood Prevention Operations and Watershed Rehabilitation Programs.

The hearing highlighted the role of the Corps and NRCS in the development of water infrastructure. Both entities face shrinking budgets but by no means diminished demands on water infrastructure. Questions from Members focused on the need for the Corps to maximize benefit to cost, streamline their processes, and work more closely with other agencies. The long term fiscal health of the TVA was also addressed.

Title: EPA Mining Policies: Assault on Appalachian Jobs Parts I and II

Dates: May 5, 2011 and May 11, 2011

Purpose: Received testimony from State regulators, the mining industry, impacted organizations, economists, and Nancy Stoner, Assistant Administrator at the Office of Water, EPA, regarding the EPA's policies and actions toward Appalachian Mining. The hearing was conducted pursuant to the Committee's plan for oversight of the Clean Water Act.

Summary: Under the Clean Water Act, the EPA and States share in the protection of water quality. Congress gave EPA limited authority to promulgate water quality standards only when a State's proposed new or revised standard does not measure up to requirements set by the CWA and the State refuses to accept EPA proposed revisions.

In 2007 the Corps issued a Sec. 404 permit in connection with the Arch Coal, Mingo Logan, Inc., Spruce No. 1 Surface Mine. Arch Coal conducted a 10-year environmental review prior to the issuance of the permit and the EPA agreed to all the terms and conditions included. In April 2010, EPA published a Proposed Determination to prohibit, restrict or deny the authorized discharges to certain of the waters associated with the project site, without alleging any violation of the permit. In September 2010, EPA withdrew the discharge authorization.

Testimony and questions focused on the Spruce Mine permit revocation, the policy and procedure behind the action, its national impact on mining and the larger economy. H.R. 2018, the Clean Water Cooperative Federalism Act of 2011, was introduced as a result of this hearing.

Title: Running Roughshod Over States and Stakeholders: EPA's Nutrients Policies

Date: June 24, 2011

Purpose: Will receive testimony from stakeholders including State administrators, water quality regulators, and a municipal wastewater reclamation official. The focus of the hearing was to provide oversight of the EPA's nutrients policies and quest for States to adopt numerical nutrient water quality standards under the Clean Water Act.

Summary: Testimony will focus on the science and burden of the EPA nutrient policy. EPA is pressing States to adopt numerical standards based on historical ambient nutrient water quality data collected from other water bodies that may not have sufficiently comparable characteristic. Nutrients are essential for natural plant and animal growth. However, nutrients can adversely affect aquatic life or human health if present in excessive concentrations. Water quality standards define the goals for a water body by designating uses, setting criteria to protect those uses, and provisions to protect water quality. When a state adopts a new or revised water quality standard, the EPA must approve, disapprove, or conditionally approve the standard depending on requirements of the CWA. Each state has standards that prevent water from containing excessive nutrients. Setting numeric water quality standards presents unique challenges that are difficult to solve. Numeric standards are not universally appropriate for substances like nutrients that are both widely variable, naturally occurring, ubiquitous, and a natural and necessary component of healthy ecosystems.

LEGISLATION

Title: Reducing Regulatory Burdens Act of 2011

Bill Number: H.R. 872 (Passed the House on March 31, 2011)

Summary: The Subcommittee considered legislation to amend the Federal Insecticide, Fungicide and Rodenticide Act and the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act) to clarify the Congressional intent regarding the regulation of pesticides in or near navigable waters and for other purposes. On March 2, 2011, Rep. Bob Gibbs introduced the Reducing Regulatory Burdens Act of 2011, designated H.R. 872. The bill was narrowly crafted to eliminate the duplicative regulations over the lawful and proper application of pesticides. It was referred to the Committee on Transportation and Infrastructure's Subcommittee on Water Resources and Environment and to the Committee on Agriculture's Subcommittee on Nutrition and Horticulture.

The bill had 137 cosponsors and was ordered reported by the Full Committee on March 16, 2011, with a manager's amendment making technical corrections. On March 31, 2011, the House agreed to suspend the rules and pass the bill as amended by a vote of 292–130. The bill was referred to the Senate Committee on Agriculture, Nutrition, and Forestry.

Title: Clean Water Cooperative Federalism Act of 2011

Bill Number: H.R. 2018

Summary: The Clean Water Cooperative Federalism Act of 2011 amends the Clean Water Act to preserve the authority of each State to make determinations relating to the State's water quality standards, and to restrict EPA's ability to second-guess or delay a State's permitting and water quality certification decisions under the Clean Water Act in several important respects including State water quality standards, dredge and fill permits, and requiring a deadline for Agency comment.

The bill was introduced on May 26, 2011, receiving widespread and bipartisan support. After being referred to the Subcommittee

on Water Resources and Environment, the bill will be considered by the Full Committee on June 22, 2011.

OVERSIGHT PLAN

The Committee on Transportation and Infrastructure approved the oversight guiding document, the 112th Oversight Plan, in open session on January 26, 2011. In the report, the Committee determined it will focus its oversight responsibility on improving the overall performance and operation of the agencies and entities within the Committee's jurisdiction by eliminating fraud, wasteful spending, abuse and mismanagement where possible. Specifically, the Committee will focus its oversight authority on determining: (1) how the departments and agencies under its jurisdiction can spend fewer taxpayer dollars while continuing to carry out their statutory mandates; (2) how to decrease the size of departments and agencies that implement the Committee's authorized programs; and (3) how best to utilize government resources to create jobs and economic opportunities for all Americans.

The Full Committee will focus on oversight of the American Recovery and Reinvestment Act and effectiveness of DOT discretionary grant programs. The Subcommittee on Aviation will focus on funding of the FAA, safety programs, security programs, NextGen, NTSB, and the financial condition of the airlines and passenger services. The Subcommittee on Coast Guard and Maritime Transportation will focus on the Coast Guard acquisitions, mission balance, maritime domain awareness, oil spill prevention and response, short sea shipping, piracy, ballast water and incidental discharges, vessel capacity, and the budgets of the agencies within its jurisdiction. Subcommittee on Economic Development, Public Buildings, and Emergency Management will focus on Federal courthouses, GSA broker contracts, real property management, FBF, leasing authorities, CILP, Federal Protective Service, DHS headquarters, and other issues within its jurisdiction. The Subcommittee on Highways and Transit will focus its oversight responsibility on streamlining project delivery, program consolidation and elimination, redefining the Federal role in surface transportation, performance and accountability, innovative financing, transportation funding, transit oversight, and safety program accountability. The Subcommittee on Railroads, Pipelines and Hazardous Materials will focus its oversight on the implementation of previous rail legislation, Amtrak, rail safety programs, pipeline safety, hazardous materials safety, and the Surface Transportation Board. Finally, the Subcommittee on Water Resources and Environment will focus its oversight on the Clean Water Act and water infrastructure programs, the Army Corps of Engineer civil works program, the EPA and its program management of the Superfund and Brownfield program, and the TVA.

The full Oversight Plan can be viewed On the Committee's website here: http://transportation.house.gov/Media/File/112th/112th_Oversight_Plan.pdf

SUMMARY OF ACTIONS TAKEN AND RECOMMENDATIONS MADE
REGARDING OVERSIGHT PLAN

Full Committee

Title: Stimulus Status: Two Years and Counting

Date: May 4, 2011

Purpose: To continue oversight of the American Recovery and Reinvestment Act, pursuant to Committee-approved Oversight Plan, by examining the audit work performed by the GAO, the DOT IG, and the EPA IG on implementation the American Recovery and Reinvestment Act. GAO and the two IGs performed extensive audit work on the implementation of funded programs from the DOT, including the FHWA, the FTA, the FAA, the FRA, and the EPA. The audits uncovered significant lapses in oversight by the implementing agencies, mismanagement of grants and funds, and lack of transparency.

Aviation

The GAO has conducted a review of unauthorized international travel of children at the request of Chairman Petri. The GAO is expected to release the report by the end of June 2011.

The DOT IG conducted a review of the new collective bargaining agreement (CBA) that the FAA entered into with the National Air Traffic Controllers Association (NATCA). The review was published on June 16, 2011, and addresses the impact the new CBA will have on the FAA and industry at the request of the Subcommittee.

The DOT IG conducted an audit of Air Traffic Control (ATC) systems and networks located at two FAA facilities within the continental United States at the request of Chairman Mica. The report summarizes the results of our information technology vulnerability assessment of the FAA operational ATC systems, and was issued April 15, 2011.

Coast Guard and Maritime Transportation

Four of the five hearings held by the Subcommittee during the first six months of the 112th Congress were directly derived from sections of the approved Oversight Plan for the Subcommittee. Section one and section ten of the Subcommittee's Oversight Plan detailed the overseeing of the Coast Guard, Federal Maritime Commission, and Maritime Administration's budget. In March, the Subcommittee held a hearing on the Administration's budget requests for FY 2012 for the Coast Guard, Federal Maritime Commission, and Maritime Administration were examined and ways to implement cost savings at the Service by leveraging efficiencies and cutting waste, fraud and abuse were explored.

Section two of the Oversight Plan detailed the Subcommittee's overseeing of the Coast Guard's acquisition program. The Subcommittee held a hearing in April regarding current status of the Coast Guard's acquisition programs, as well as a review of the policies and procedures the Service uses to determine mission needs requirements and the correct types and number of assets needed to meet those requirements.

Section five of the Oversight Plan detailed the Subcommittee's overseeing of oil spill prevention and response, with specific attention being given towards the response to the Deepwater Horizon oil spill in the summer of 2010. The Subcommittee in conjunction with the Subcommittee on Water Resources and Environment held a joint hearing in February regarding improvements that can be made to oil spill prevention and response plans and programs, while ensuring access to domestic energy resources and protecting vital energy sector jobs.

Section seven of the Oversight Plan detailed the Subcommittee's overseeing of piracy and the United States' efforts to ensure the safety of Americans on the high seas. In March, the Subcommittee held a hearing regarding ways to improve the Federal Government's efforts to safeguard American lives and property on the high seas against acts of piracy. Specific attention was given to acts of piracy that occur off the Horn of Africa as per the Oversight Plan.

Economic Development, Public Buildings and Emergency Management

The activities of the Subcommittee demonstrated its commitment to the Oversight Plan approved by the Committee on Transportation and Infrastructure. In regards to the jurisdiction of the Subcommittee, the plan included a focus on implementing better management of federal real estate, streamlining emergency management programs, and supervising the construction and renovation of federal property under the American Recovery and Reinvestment Act.

The Subcommittee is deeply invested in the oversight of federal real property. In fact, during the 111th Congress, the Republican staff released a report, "Sitting on Our Assets: The Federal Government's Misuse of Taxpayer-Owned Assets," which detailed billions of dollars of wasteful spending on underutilized federal properties. The Subcommittee is committed to identifying these underutilized federal buildings and assets in order to shed waste and save taxpayer money. The Subcommittee has developed major pieces of legislation in support of this mission. H.R. 690, the Federal Trade Commission and National Gallery of Art Consolidation, Savings, and Efficiency Act, saves the taxpayers an estimated \$300 million in avoided renovation and lease costs of the FTC and the NGA. The Subcommittee also marked up H.R. 1734, the Civilian Property Realignment Act, which was introduced by Chairman Jeff Denham. The legislation sets up a BRAC-like commission for the realignment of civilian federal property that has the potential to save taxpayers an estimated \$15 billion.

The Subcommittee has also held the following hearings to carry out the Committee-approved Oversight Plan:

Title: Sitting on Our Assets: Cutting Spending and Private Redevelopment of Underperforming Buildings

Date: February 10, 2011

Purpose: Received testimony on the costs to the taxpayer of underperforming or vacant assets, models for their redevelopment or reuse, and how spending can be reduced through private redevelopment of underperforming assets. The hearing was conducted

pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Title: Managing Costs and Mitigating Delays in the Building of Social Security's New National Computer Center

Date: February 11, 2011

Purpose: The Subcommittee held a joint oversight hearing with the Committee on Ways and Means, Subcommittee on Social Security to receive testimony on the site selection and construction of the SSA's new national computer processing and data storage facility to replace the NCC, currently located in Woodlawn, Maryland. The hearing was conducted pursuant to the Committee's plan of supervision for the construction and renovation of federal property under the American Recovery and Reinvestment Act of 2009.

Title: Cutting Spending and Consolidating Federal Office Space: GSA's Capital Investment and Leasing Program

Date: March 10, 2011

Purpose: The Subcommittee held a hearing to receive testimony on GSA's Capital Investment and Leasing Program (CILP) including alteration, design, modernization, construction, leasing and building purchase activities. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and the Federal Buildings Fund (FBF).

Title: Can a Civilian BRAC Commission Consolidate Federal Office Space and Save Taxpayers Billions?

Date: April 6, 2011

Purpose: The Subcommittee held a hearing to receive testimony on whether a civilian BRAC process can effectively consolidate federal office space, maximize value to the taxpayer, and save taxpayers billions. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Title: Richard H. Poff Federal Building Renovation: Is it Costing the Taxpayer Too Much?

Date: April 14, 2011

Purpose: The Subcommittee held a hearing to receive testimony on the renovation and modernization of the Richard H. Poff Federal Building, located in Roanoke, Virginia. The hearing was conducted pursuant to the Committee's plan of supervision for the construction and renovation of federal property under the American Recovery and Reinvestment Act of 2009.

Title: How to Stop Sitting on Our Assets: A Review of the Civilian Property Realignment Act

Date: May 12, 2011

Purpose: The Subcommittee held a hearing to receive testimony on specific legislative proposals to employ a BRAC-like process to civilian properties to produce significant savings to the taxpayer. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs.

Summary: Chairman Denham introduced H.R. 1734, the Civilian Property Realignment Act, on May 4, 2011, as a result of the Subcommittee's oversight activities.

Highways and Transit

As the Subcommittee on Highways and Transit held hearings to help craft important transportation authorization legislation, the hearings served a dual purpose of providing oversight opportunities, according to the Committee's Oversight Plan, including oversight on streamlining project delivery, program consolidation and elimination, redefining the Federal role in surface transportation, performance and accountability, innovative financing, and highway safety.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Beckley, West Virginia Field Hearing

Date: February 14, 2011

Purpose: Received testimony on the local transportation challenges facing the State of West Virginia, and the local area surrounding Beckley. The hearing was conducted pursuant to the Committee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Accelerating the Project Delivery Process: Eliminating Bureaucratic Red Tape and Making Every Dollar Count.

Date: February 15, 2011.

Purpose: Received testimony related to improving the existing laws and regulations governing project delivery in order to accelerate the delivery process for surface transportation projects. The hearing was conducted pursuant to the Subcommittee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Columbus, Ohio Field Hearing.

Date: February 19, 2011.

Purpose: Received testimony on the local transportation challenges facing Ohio, and the local area surrounding Columbus. The hearing was conducted pursuant to the Committee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Improving and Reforming Our Nation's Surface Transportation Programs to Support Job Creation and the Economy

Date: February 23, 2011

Committee: Transportation and Infrastructure; Joint Hearing with the U.S. Senate Committee on Environment and Public Works

Purpose: Received testimony in a joint hearing in Los Angeles, California, with the U.S. Senate on the local transportation challenges facing Southern California. The hearing was conducted pursuant to the Committee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Oklahoma City, Oklahoma Field Hearing

Date: February 24, 2011

Purpose: Receive testimony on the local transportation challenges facing Oklahoma, and the local area surrounding Oklahoma City. The hearing was conducted pursuant to the Committee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Maitland, Florida Field Hearing

Date: March 14, 2011

Purpose: Received testimony on the local transportation challenges facing Florida, and the greater Orlando area. The hearing was conducted pursuant to the Committee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Improving and Reforming the Nation's Surface Transportation Programs.

Date: March 29, 2011 and March 30, 2011

Purpose: Received stakeholder testimony related to the reauthorization of the Federal surface transportation programs. The hearing was conducted pursuant to the Subcommittee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Title: Policy Proposals from Members of Congress to Reform the Nation's Surface transportation Programs.

Date: April 5, 2011

Purpose: Received testimony from Members of Congress on their policy proposals for the reauthorization of the Federal surface transportation programs. The hearing was conducted pursuant to the Subcommittee's plan for oversight of surface transportation program management and Clause 2(d)(1) of House Rule X on elimination of duplicative programs.

Railroads, Pipelines and Hazardous Materials

Pursuant to the Committee-approved Oversight Plan for the 112th Congress, the Subcommittee held hearings addressing important issues such as railroad infrastructure, Amtrak, and rail and hazardous materials safety. With respect to railroad infrastructure, the Subcommittee held an oversight hearing on improving the RRIF direct and guaranteed loan program and an oversight hearing on passenger rail capital programs authorized under the PRIIA. The Subcommittee also held or had jurisdiction over three hearings on Amtrak, specifically on improving passenger rail service on the NEC and authorizing it for private competition, and on improving intercity passenger rail throughout the country by fully implementing PRIIA requirements and allowing private competition for passenger rail service. There was also one hearing on railroad safety, providing oversight on the implementation of the Rail Safety Improvement Act of 2008. Lastly, the Subcommittee held two hearings discussing the safe transportation of hazardous materials and

possible ways to reduce regulatory burdens on the hazardous materials and railroad transportation industries.

Water Resources and Environment

The activities of the Subcommittee demonstrated its commitment to the Oversight Plan approved by the Committee on Transportation and Infrastructure. In regards to the jurisdiction of the Subcommittee, the plan included a focus on implementing better oversight of the EPA funding issues, including levels and sources of funding and management of grant and loan programs; issues involving the development and implementation of total maximum daily loads, water quality standards, effluent limitations, and permitting; data quality issues; and continued efforts to improve the management of and nonpoint source pollution. The Subcommittee may review the implications of addressing certain pollutant discharges, including discharges of pesticides, through traditional Clean Water Act permitting requirements. Pursuant to the Oversight Plan, the Subcommittee considered ways of streamlining the civil works activities of the Corps, specifically the permitting, scheduling, and allocation of projects, as well as financing. Additionally, the Subcommittee reviewed TVA programs, including its energy program and operations in the current marketplace, and the impact of TVA debt on its long-term goals.

The Subcommittee has also held the following hearings to carry out the Committee-approved Oversight Plan:

Title: Review of the FY 2012 Budget and Priorities of the Environmental Protection Agency: Impacts on Jobs, Liberty, and the Economy

Date: March 2, 2011

Purpose: To hear justification of the Agency's proposed FY 12 budget, including extra-regulatory activities such as the promulgation of guidance, the use of numerical nutrient standards throughout the country and other expansions of the Agency's regulations.

Title: Review of the FY 12 Budget and Priorities of the Army Corps of Engineers, Tennessee Valley Authority, and the Natural Resources Conservation Service: Finding Ways To Do More With Less

Date: March 8, 2011

Purpose: Received testimony from respective agencies regarding their proposed budget to the Subcommittee.

Title: EPA Mining Policies: Assault on Appalachian Jobs Parts I and II

Dates: May 5, 2011 and May 11, 2011

Purpose: Received testimony from State regulators, the mining industry, impacted organizations, economists, and Nancy Stoner, Assistant Administrator at the Office of Water at the EPA regarding the EPA's policies and actions toward Appalachian Mining. The hearing was conducted pursuant to the Committee's plan for oversight of Clean Water Act, specifically the permitting process and water quality standards. HR 2018, the Clean Water Cooperative Federalism Act of 2011, was introduced as a result of this hearing.

Title: Running Roughshod Over States and Stakeholders: EPA's Nutrients Policies

Date: June 24, 2011

Purpose: Received testimony pursuant to the Committee-approved Oversight Plan to provide oversight of the EPA's nutrients policies and quest for States to adopt numerical nutrient water quality standards under the Clean Water Act.

SUMMARY OF ANY ADDITIONAL OVERSIGHT ACTIVITIES UNDERTAKEN BY COMMITTEE OR RECOMMENDATIONS OR ACTIONS

HEARINGS

Title: Biometric IDs for Pilots and Transportation Workers: Diary of Failures.

Date: April 14, 2011.

Summary: See summary section above

Title: How to Best Improve Bus Safety on Our Nation's Highways

Date: June 13, 2011

Summary: See summary section above

INVESTIGATIONS AND OTHER ACTIVITIES

Title: TSA Ignores More Cost-Effective Screening Model.

Date: June 3, 2011.

Summary: See summary section and attached report above

SUMMARY OF OVERSIGHT HEARINGS PURSUANT TO CLAUSES 2(n), (o), AND (p) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENT- ATIVES

In the 112th Congress, Rule XI of the Rules of the House of Representatives requires each standing committee, or a Subcommittee thereof, to hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in government programs as documented by any report from an Inspector General or the Comptroller General. Further, the Committee shall hold at least one hearing on disclaimers of agency financial statements from auditors and one hearing on issues raised by reports issued by the Comptroller General indicating that Federal programs under the committee's jurisdiction are at high risk for waste, fraud, and mismanagement, known as the "high-risk list." The Committee complied with the requirements of Rule XI by conducting the following hearings:

Full Committee

Title: Stimulus Status: Two Years and Counting

Date: May 4, 2011

Purpose: The Full Committee met on May 4, 2011, pursuant to House Rule XI, clause 2(n), to examine the audit work performed by the General Accountability Office (GAO), DOT IG, and the Environmental Protection Agency Inspector General (EPA IG) on implementation of the American Recovery and Reinvestment Act. GAO and the two IGs performed extensive audit work on the implemen-

tation of funded programs from the DOT, including the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Aviation Administration (FAA), and the Federal Railroad Administration (FRA), and the Environmental Protection Agency (EPA). The audits uncovered significant lapses in oversight by the implementing agencies, mismanagement of grants and funds, and lack of transparency. See full summary in summary section above.

Coast Guard and Maritime Transportation

Title: Improving and Streamlining the Coast Guard's Acquisition Program

Date: April 13, 2011

Purpose: Received testimony, pursuant to House Rule XI, clause 2(n), as a result of a report issued by the GAO on the Coast Guard's acquisition process. In the report, the GAO made several recommendations to reduce bureaucratic inefficiencies within the Coast Guard's acquisition directorate to reduce cost overruns and delays. See full summary in summary section above.

Economic Development, Public Buildings and Emergency Management

Title: Sitting on Our Assets: Cutting Spending and Private Redevelopment of Underperforming Buildings

Date: February 10, 2011

Purpose: Received testimony on the costs to the taxpayer of underperforming or vacant assets, models for their redevelopment or reuse, and how spending can be reduced through private redevelopment of underperforming assets. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs and Clause 2(p) on a management area designated by the GAO as a high-risk management issue. See full summary in summary section above.

Title: Can a Civilian BRAC Commission Consolidate Federal Office Space and Save Taxpayers Billions?

Date: April 6, 2011

Purpose: Received testimony on whether a civilian BRAC process can effectively consolidate federal office space, maximize value to the taxpayer, and save taxpayers billions. The hearing was conducted pursuant to the Committee's plan for oversight of real property management and Clause 2(n) of House Rule XI and Clause 2(p) on a management area designated by the GAO as a high-risk management issue. See full summary in summary section above.

Title: The Securities and Exchange Commission's \$500 Million Fleecing of America

Date: June 16, 2011

Purpose: Received testimony on the SEC's management of its independent authority to lease space and the May 16, 2011 SEC IG report related to SEC's lease procurement of 900,000 square feet of space under a 10-year lease worth over \$500 million. The hearing was conducted pursuant to the Committee's plan for oversight of

agencies with independent leasing authority and Clause 2(n) of House Rule XI on waste, fraud, abuse or mismanagement of government programs and Clause 2(p) on a management area designated by the GAO as a high-risk management issue. See full summary in summary section above.

Highways and Transit

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Beckley, West Virginia Field Hearing

Date: February 14, 2011

Purpose: Received testimony on the local transportation challenges facing the State of West Virginia, and the local area surrounding Beckley. This hearing addressed issues related to "Funding the Nation's Surface Transportation System," a topic contained on GAO's 2011 High Risk Series. See full summary in summary section above.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Columbus, Ohio Field Hearing.

Date: February 19, 2011.

Purpose: Received testimony on the local transportation challenges facing the State of Ohio, and the local area surrounding Columbus. This hearing addressed issues related to "Funding the Nation's Surface Transportation System," a topic contained on GAO's 2011 High Risk Series. See full summary in summary section above.

Title: Improving and Reforming Our Nation's Surface Transportation Programs to Support Job Creation and the Economy

Date: February 23, 2011

Committee: Transportation and Infrastructure; Joint Hearing with the U.S. Senate Committee on Environment and Public Works

Purpose: Receive testimony in a joint hearing in Los Angeles, California with the U.S. Senate on the local transportation challenges facing Southern California and the State of California. This bi-cameral field hearing was part of the Committee's effort to gather ideas and policy proposals to prepare for the reauthorization of the Federal surface transportation programs under SAFETEA-LU, which expired on September 30, 2009, but was extended through September 30, 2011. This hearing addressed issues related to "Funding the Nation's Surface Transportation System," a topic contained on GAO's 2011 High Risk Series. See full summary in summary section above.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Oklahoma City, Oklahoma Field Hearing

Date: February 24, 2011

Purpose: Received testimony on the local transportation challenges facing the State of Oklahoma, and the local area surrounding Oklahoma City. This hearing addressed issues related to "Funding the Nation's Surface Transportation System," a topic contained on GAO's 2011 High Risk Series. See full summary in summary section above.

Title: Improving and Reforming Our Nation's Surface Transportation Programs: Maitland, Florida Field Hearing

Date: March 14, 2011

Purpose: Receive testimony on the local transportation challenges facing the State of Florida, and the greater Orlando area. This hearing addressed issues related to “Funding the Nation’s Surface Transportation System,” a topic contained on GAO’s 2011 High Risk Series. See full summary in summary section above.

Title: Improving and Reforming the Nation’s Surface Transportation Programs.

Date: March 29, 2011 and March 30, 2011

Purpose: Received stakeholder testimony related to the reauthorization of the Federal surface transportation programs. This hearing addressed issues related to “Funding the Nation’s Surface Transportation System,” a topic contained on GAO’s 2011 High Risk Series. See full summary in summary section above.

Title: Policy Proposals from Members of Congress to Reform the Nation’s Surface transportation Programs.

Date: April 5, 2011

Purpose: Received testimony from Members of Congress on their policy proposals for the reauthorization of the Federal surface transportation programs. This hearing addressed issues related to “Funding the Nation’s Surface Transportation System,” a topic contained on GAO’s 2011 High Risk Series. See full summary in summary section above.

OVERSIGHT OR LEGISLATIVE ACTIVITY CONDUCTED AS PART OF OR AS
A RESULT OF THE INVENTORY AND REVIEW OF EXISTING, PENDING,
AND PROPOSED REGULATIONS AND ORDERS

Aviation

Title: GPS Reliability: A Review of Aviation Industry Performance, Safety Issues, and Avoiding Potential New and Costly Government Burdens

Date: June 23, 2011

Summary: See summary section above

Title: FAA Reauthorization and Reform Act of 2011

Bill Number: H.R. 658

Date: April 1, 2011

Summary: See summary section above

**Economic Development, Public Buildings and
Emergency Management**

Title: Improving the Nation’s Response to Catastrophic Disasters: How to Minimize Costs and Streamline our Emergency Management Programs

Date: March 30, 2011

Summary: See summary section above

Coast Guard

Title: Creating U.S. Maritime Industry Jobs by Reducing Regulatory Burdens

Date: May 24, 2011

Summary: See summary section above

Title: Creating Jobs and Increasing U.S. Exports by Enhancing the Marine Transportation System

Date: June 14, 2011

Summary: See summary section above

Railroads, Pipelines and Hazardous Materials

Title: Federal Regulatory Overreach in the Railroad Industry: Implementing the Rail Safety Improvement Act

Date: March 17, 2011

Summary: See summary section above

Title: Reducing Regulatory Burdens and Ensuring Safe Transportation of Hazardous Materials

Date: April 12, 2011

Summary: See summary section above

Water Resources and the Environment

Title: EPA Mining Policies: Assault on Appalachian Jobs Parts I and II

Dates: May 5, 2011 and May 11, 2011

Summary: See summary section above

Title: Clean Water Cooperative Federalism Act of 2011

Bill Number: H.R. 2018

Summary: See summary section above

PUBLICATIONS

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| <p>112-1 "Developing True High Speed Rail in the Northeast Corridor – Stop Sitting on our Federal Assets." Full Committee field hearing (New York City, New York) January 27, 2011</p> <p>112-2 "Federal Aviation Administration Reauthorization: FAA Administrator." Subcommittee on Aviation February 8, 2011</p> <p>112-2 "Federal Aviation Administration Reauthorization: Stakeholders." Subcommittee on Aviation February 9, 2011</p> <p>112-40 Sitting on Our Assets: Cutting Spending and Private Redevelopment of Underperforming." Field hearing (Old Post Office Building Annex, Washington, D.C.) Subcommittee on Economic Development, Public Buildings, and Emergency Management field hearing February 10, 2011</p> | <p>112-3 "To Consider Reducing the Regulatory Burden Posed by the Case National Cotton Council v. EPA (6th Cir. 2009) and to Review Related Draft Legislation." Subcommittee on Water Resources and Environment and the Committee on Agriculture, Subcommittee on Nutrition and Horticulture. February 16, 2011</p> <p>112-4 "Improving Oil Spill Prevention and Response, Restoring Jobs, and Ensuring our Energy Security: Recommendations from the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling." Joint Subcommittee on Coast Guard and Maritime Transportation and Water Resources and Environment. February 11, 2011</p> <p>112-41 "Managing Costs and Mitigating Delays in the Building of Social Security's New National Computer Center." Joint hearing with Subcommittee on Economic Development, Public</p> |
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- Buildings, and Emergency Management and the Committee on Ways and Means, Subcommittee on Social Security.
February 11, 2011
- 112-5 "Improving and Reforming Our Nation's Surface Transportation Programs: Beckley, West Virginia Field Hearing."
Full Committee field hearing (Beckley, West Virginia)
February 14, 2011
- 112-6 "Accelerating the Project Delivery Process: Eliminating Bureaucratic Red Tape and Making Every Dollar Count."
Subcommittee on Highways and Transit.
February 15, 2011
- 112-7 "Sitting on our Assets: Rehabilitating and Improving our Nation's Rail Infrastructure."
Subcommittees on Railroads, Pipelines, and Hazardous Materials.
February 17, 2011
- 112-8 "Improving and Reforming our Nation's Surface Transportation Programs: Columbus, Ohio Field Hearing."
Full Committee field hearing (Columbus, Ohio)
February 19, 2011
- 112-9 "Improving and Reforming our Nation's Surface Transportation Programs to Support Job Creation and the Economy."
Joint field hearing (Los Angeles, California) with the Full Committee and the Senate Committee on Environment and Public Works.
February 23, 2011
- 112-9 "Improving and Reforming our Nation's Surface Transportation Programs: Oklahoma City, Field Hearing
Full Committee field hearing (Oklahoma City, Oklahoma).
February 24, 2011
- 112-10 "America's Presidential Libraries: Their Mission and Their Future."
Joint hearing Subcommittee on Economic Development, Public Buildings, and Emergency Management and the Committee on Oversight and Government Reform.
February 28, 2011
- 112-11 "A Review of the Administration's Fiscal Year 2012 Budget Requests for the U.S. Coast Guard, Federal Maritime Commission, and Federal Maritime Administration; Finding Ways To Do More with Less."
Subcommittee on Coast Guard and Maritime Transportation.
March 1, 2011
- 112-12 "Review of the FY 2012 Budget and Priorities of the Environmental Protection Agency: Impacts on Jobs, Liberty, and the Economy."
Subcommittee on Water Resources and Environment.
March 2, 2011
- 112-13 "Review of the FY 2012 Budget and Priorities of the Army Corps of Engineers, Tennessee Valley Authority, and the Natural Resources Conservation Service: Finding Ways To Do More With Less."
Subcommittee on Water Resources and Environment.
March 8, 2011

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| <p>112-14 "Cutting Spending and Consolidating Federal Office Space: GSA's Capital Investment and Leasing Program." Subcommittee on Economic Development, Public Buildings, and Emergency Management. March 10, 2011</p> <p>112-15 "Finding Ways to Encourage and Increase Private Sector Participation in Passenger Rail Service." Subcommittee on Railroads, Pipelines, and Hazardous Materials. March 11, 2011</p> <p>112-16 "Improving and Reforming our Nation's Surface Transportation Programs: Central Florida Field Hearing." Full Committee field hearing (Maitland, Florida) March 14, 2011</p> <p>112-17 "Assuring the Freedom of Americans on the High Seas: The United States' Response to Piracy." Subcommittee on Coast Guard and Maritime Transportation. March 15, 2011</p> <p>112-18 "Federal Regulatory Overreach in the Railroad Industry: Implementing the Rail Safety Improvement Act." Subcommittee on Railroads, Pipelines, and Hazardous Materials. March 17, 2011</p> <p>112-19 "Improving and Reforming the Nation's Surface Transportation Programs." Subcommittee on Highways and Transit March 29, 2011</p> | <p>112-19 "Improving and Reforming the Nation's Surface Transportation Programs." Subcommittee on Highways and Transit March 30, 2011</p> <p>112-20 "Improving the Nation's Response to Catastrophic Disasters: How to Minimize Costs and Streamline our Emergency Management Programs." Subcommittee on Economic Development, Public Buildings, and Emergency Management. March 30, 2011</p> <p>112-21 "Policy Proposals from Members of Congress to Reform the Nation's Surface Transportation Programs." Subcommittee on Highways and Transit. April 5, 2011</p> <p>112-22 "Can a Civilian BRAC Commission Consolidate Federal Office Space and Save Taxpayers Billions?." Subcommittee on Economic Development, Public Buildings, and Emergency Management. April 6, 2011</p> <p>112-23 "Railroad and Hazardous Materials Transportation Programs: Reforms and Improvements to Reduce Regulatory Burdens." Subcommittee on Railroads, Pipelines, and Hazardous Materials. April 7, 2009</p> <p>112-24 "Reducing Regulatory Burdens and Ensuring Safe Transportation of Hazardous Materials." Subcommittee on Railroads, Pipelines, and Hazardous Materials.</p> |
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| <p>April 12, 2011</p> <p>112-25 "Improving and Streamlining the Coast Guard's Acquisition Program."
Subcommittee on Coast Guard and Maritime Transportation.
April 13, 2011</p> <p>111-26 "Biometric IDs for Pilots and Transportation Workers: Diary of Failures."
Full Committee.
April 14, 2011</p> <p>112-27 "Richard H. Poff Federal Building Renovation: Is it Costing the Taxpayer Too Much?."
Subcommittee on Economic Development, Public Buildings, and Emergency Management.
April 14, 2011</p> <p>112-28 "Stimulus Status: Two Years and Counting."
Full Committee.
May 4, 2011</p> <p>112- 29 "EPA Mining Policies: Assault on Appalachian Jobs – Part I."
Subcommittee on Water Resources and Environment.
May 5, 2011</p> <p>112-30 "EPA Mining Policies: Assault on Appalachian Jobs – Part II."
Subcommittee on Water Resources and Environment.
May 11, 2011</p> <p>112-31 "How to Stop Sitting on Our Assets: A Review of the Civilian Property Realignment Act."</p> | <p>Subcommittee on Economic Development, Public Buildings, and Emergency Management.
May 12, 2011</p> <p>112-32 "Creating U.S. Maritime Industry Jobs by Reducing Regulator Burdens."
Subcommittee on Coast Guard and Maritime Transportation.
May 24, 2011</p> <p>112- 33 "Opening the Northeast Corridor to Private Competition for the Development of High-Speed Rail."
Full Committee.
May 26, 2011</p> <p>112-34 Summary of Oversight and Legislative Activities</p> <p>112-35 "How Best to Improve Bus Safety on Our Nation's Highways."
Full Committee
June 13, 2011</p> <p>112-36 "Creating Jobs and Increasing U.S. Exports by Enhancing the Marine Transportation System."
Subcommittee on Coast Guard and Maritime Transportation.
June 14, 2011</p> <p>112-37 "The Securities and Exchange Commission's \$500 Million Fleecing of America."
Subcommittee on Economic Development, Public Buildings, and Emergency Management.
June 16, 2011</p> <p>112-38 "GPS Reliability: A Review of Aviation Industry Performance, Safety Issues, and Avoiding</p> |
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Potential New and Costly
Government Burdens.”
Joint Subcommittee on Aviation and
Coast Guard and Maritime
Transportation.
June 23, 2011

112-39 “Running Roughshod Over States
and Stakeholders: EPA’s Nutrients
Policies.”
Subcommittee on Water Resources
and Environment.
June 24, 2011

MINORITY VIEWS

We agree with our Republican colleagues on the importance of the legislative and oversight activities of the Committee on Transportation and Infrastructure and the critical role that this Committee can play in creating jobs, restoring the Nation's economy, and ensuring that the taxpayers' money is well spent.

In the wake of the worst recession since the Great Depression and with almost two million construction workers out of work, we had hoped to work closely with our Republican colleagues at the outset of this Congress on a bipartisan agenda of increasing infrastructure investment to create family-wage construction jobs and lay the foundation for future economic growth. Regrettably, in the first six months of the 112th Congress, the House of Representatives has slashed infrastructure investment at every turn, jeopardizing the Nation's economic recovery. We urge our Republican colleagues to refocus on efforts to develop a bipartisan agenda with one overriding goal: putting Americans back to work.

The Committee's consideration of H.R. 658, the "FAA Reauthorization and Reform Act of 2011", and H.R. 690, the "Federal Trade Commission and National Gallery of Art Facility Consolidation, Savings, and Efficiency Act of 2011", illustrate these misplaced priorities.

I. H.R. 658, THE FAA REAUTHORIZATION AND REFORM ACT OF 2011

Over several decades, successive Federal Aviation Administration (FAA) reauthorization acts have increased funding for FAA programs because investing in aviation infrastructure strengthens the economy, creates jobs, and provides for the safe and efficient flow of commerce. Every \$1 billion of Federal investment in infrastructure creates or sustains approximately 35,000 jobs.

In the 110th and 111th Congresses, the House, under Democratic leadership, passed FAA reauthorization bills that would have created jobs, improved aviation safety, and provided the FAA with the tools necessary to modernize airport and air traffic control infrastructure.

Conversely, in the 112th Congress, the House, under Republican leadership, passed an FAA reauthorization bill that includes funding cuts that will devastate the FAA's Next Generation Air Transportation System (NextGen) air traffic control modernization effort and will harm safety-sensitive programs, while ignoring the Nation's growing airport construction needs. These proposed funding cuts have serious consequences for our Nation's infrastructure, jobs, and economy.

At the Subcommittee on Aviation's February 9, 2011 hearing, entitled "Federal Aviation Reauthorization: Stakeholders", witnesses representing the aerospace industry, general aviation manufacturers, general aviation pilots, airports, air traffic controllers, and

FAA officials all testified that Congress could not roll back FAA funding to FY 2008 levels without harming safety-sensitive programs or hampering the industry. At that same hearing, Ms. Marion Blakey, former FAA Administrator under President George W. Bush and current President and Chief Executive Officer of the Aerospace Industries Association, stated that “the prospect is really devastating to jobs and to our future, if we really have to roll back [to 2008 levels] and stop NextGen in its tracks.” Similarly, H.R. 658 cut airport construction investment by almost \$2 billion over four years, destroying 70,000 family-wage jobs.

Time and again, our Republican colleagues claimed that Congress must impose these cuts in the name of budget austerity.

II. H.R. 690, THE FEDERAL TRADE COMMISSION AND NATIONAL GALLERY OF ART FACILITY CONSOLIDATION, SAVINGS, AND EFFICIENCY ACT OF 2011

However, when the Committee considers almost doubling the size of a Federal art gallery, budget austerity is nowhere to be found.

On February 16, 2011, the Committee considered H.R. 690, the “Federal Trade Commission and National Gallery of Art Facility Consolidation, Savings, and Efficiency Act of 2011”, and ordered the bill reported favorably to the House on a roll call vote. During the markup, our Republican colleagues claimed that the bill would save taxpayer funds. Similar claims are made in this Legislative and Oversight Activities report. For instance, on multiple occasions, the report states “H.R. 690 saves the taxpayers an estimated \$300 million in avoided renovation and lease costs of the FTC [Federal Trade Commission] and NGA [National Gallery of Art].”

During the Committee’s consideration of the bill, we disagreed with these estimates and requested a hearing on the bill. Our request for a public hearing was denied. However, our concerns about the costs of the legislation were confirmed by the nonpartisan Congressional Budget Office (CBO). CBO found that the bill would not save money. In fact, according to CBO, the bill would cost \$270 million over the next five years because the General Services Administration (GSA) would need to construct a new building to accommodate employees of the FTC in a consolidated facility. Furthermore, GSA estimates that it would cost \$609 million over 30 years to consolidate the FTC in one Federally-owned facility, and even more if the FTC employees were housed in leased space.

In addition to expanding a Federal art gallery, the Committee has also focused on overseeing presidential libraries and constructing statues.¹

CONCLUSION

Although we are not opposed to art galleries, presidential libraries, and statues, we urge our Republican colleagues to refocus on efforts to develop an agenda centered on increasing infrastructure

¹See the Committee on Transportation and Infrastructure and Committee on Oversight and Government Reform February 28, 2001 joint hearing on “American Presidential Libraries: Their Mission and Their Future”; and H.R. 1264, as ordered reported by the Committee on June 22, 2011.

investment to create jobs and establish the building blocks of economic growth. We want to work on a bipartisan agenda that has one overriding goal: putting Americans back to work.

NICK J. RAHALL II, *Ranking Member.*

PETER A. DEFazio.

JERRY F. COSTELLO.

ELEANOR HOLMES NORTON.

JERROLD NADLER.

CORRINE BROWN.

BOB FILNER.

EDDIE BERNICE JOHNSON.

ELIJAH E. CUMMINGS.

LEONARD L. BOSWELL.

TIM HOLDEN.

RICK LARSEN.

MICHAEL E. CAPUANO.

TIMOTHY H. BISHOP.

MICHAEL H. MICHAUD.

RUSS CARNAHAN.

GRACE F. NAPOLITANO.

DANIEL LIPINSKI.

MAZIE K. HIRONO.

JASON ALTMIRE.

TIMOTHY J. WALZ.

HEATH SHULER.

STEVE COHEN.

LAURA RICHARDSON.

ALBIO SIRES.

DONNA F. EDWARDS.

